

Volume 43, Number 24
Pages 3755–3914
December 17, 2018

SALUS POPULI SUPREMA LEX ESTO

“The welfare of the people shall be the supreme law.”



JOHN R. ASHCROFT
SECRETARY OF STATE

MISSOURI REGISTER

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The *Missouri Register* is published semi-monthly by

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ISSN 0149-2942, USPS 320-630; periodical postage paid at Jefferson City, MO

Subscription fee: \$72.00 per year

POSTMASTER: Send change of address notices and undelivered copies to:

MISSOURI REGISTER

Office of the Secretary of State

Administrative Rules Division

PO Box 1767

Jefferson City, MO 65102

The *Missouri Register* and *Code of State Regulations* (CSR) are available on the Internet. The Register address is www.sos.mo.gov/adrules/moreg/moreg and the CSR is www.sos.mo.gov/adrules/csr/csr. These websites contain rulemakings and regulations as they appear in the paper copies of the Registers and CSR. The Administrative Rules Division may be contacted by email at rules@sos.mo.gov.

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Register Filing Deadlines	Register Publication Date	Code Publication Date	Code Effective Date
August 1, 2018	September 4, 2018	September 30, 2018	October 30, 2018
August 15, 2018	September 17, 2018	September 30, 2018	October 30, 2018
September 4, 2018	October 1, 2018	October 31, 2018	November 30, 2018
September 17, 2018	October 15, 2018	October 31, 2018	November 30, 2018
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March 15, 2019	April 15, 2019	April 30, 2019	May 30, 2019
April 1, 2019	May 1, 2019	May 31, 2019	June 30, 2019
April 15, 2019	May 15, 2019	May 31, 2019	June 30, 2019

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at www.sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES

The rules are codified in the *Code of State Regulations* in this system–

Title		Division	Chapter	Rule
3	CSR	10-	4	.115
Department	<i>Code of State Regulations</i>	Agency Division	General area regulated	Specific area regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation, for example, 3 CSR 10-4.115 NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

Code and Register on the Internet

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is www.sos.mo.gov/adrules/csr/csr

The *Register* address is www.sos.mo.gov/adrules/moreg/moreg

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2016. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2110—Missouri Dental Board
Chapter 2—General Rules**

EMERGENCY RULE

20 CSR 2110-2.250 Prescribing Opioids

PURPOSE: This rule provides for regulation of prescriptions for opioid pain medication.

EMERGENCY STATEMENT: This emergency rule is being promulgated to protect the lives of Missouri citizens by establishing safe prescription requirements for opioid pain medication. This proposed rule incorporates guidelines from the Centers for Disease Control (CDC) and the American Dental Association (ADA) to regulate the way that dentists prescribe opioid controlled substances to their patients. Pursuant to section 536.025, RSMo, this rule proposal is being filed as an emergency rule due to the current public health crisis facing Missouri and the rest of the United States.

A March 26, 2018 statement from the American Dental Association reported that in 2016, opioids (including prescription opioids, heroin and fentanyl) killed more than forty-two thousand (42,000) people in the United States, more than any year on record. Forty percent (40%) of those deaths involved a prescription pain reliever, according to the

Centers for Disease Control and Prevention.

In statements in Executive Orders 17-18 and 17-19, the Missouri Governor's office reported that in 2016, more than nine hundred (900) Missourians died from an opioid overdose and estimated that two (2) Missourians die from narcotic overdose and two (2) babies are born with narcotic withdrawal every day somewhere in Missouri.

Dentists write a significant number of the opioid prescriptions issued in the United States every year. This proposed rule will not limit a dentist's ability to treat patients' pain. It will require them to document the steps taken in that treatment and will require them to provide treatment within the standards recommended by the Centers for Disease Control as well as the American Dental Association. As a result, the Missouri Dental Board finds there is an immediate danger to the public health, safety, and/or welfare and a compelling governmental interest that requires this emergency action. A proposed rule, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Missouri Dental Board believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed November 7, 2018, becomes effective November 17, 2018, and expires May 15, 2019.

(1) Dentists shall consider non-opioid medications and therapies for treatment of mild to moderate acute dental pain prior to prescribing an opioid controlled substance. Options for non-opioid treatments shall be discussed with the patient and the patient advised of the risks associated with opioid related treatments and the discussion documented in the patient's dental record.

(2) Before prescribing an opioid controlled substance to a patient experiencing dental pain, a dentist shall assess the patient for potential opioid use disorder. At a minimum, this should include collecting and maintaining a thorough medical history of the patient including any history of substance abuse disorders, mental health conditions, or sleep-disordered breathing. Dentists shall thoroughly discuss and document in the patient's record any medications the patient may be receiving from any other healthcare providers.

(3) A dentist shall not issue an initial prescription for more than a seven- (7-) day supply of any opioid controlled substance for treatment of a patient's acute pain. A dentist may not issue any renewal, refill, or new prescription for an opioid controlled substance for treatment of the same acute pain without first performing an examination of the patient to determine the need and appropriateness of the renewal, refill, or new prescription. Any appropriate renewals, refills, or new prescriptions of opioids for treatment of the same acute pain shall also be limited to a seven- (7-) day supply and shall be in compliance with the general provisions of Chapters 195 and 579. If, in the professional judgment of the dentist, more than a seven- (7-) day supply is required to treat the patient's acute pain, the dentist may issue a prescription for the quantity needed to treat the patient, provided that the dentist shall document in the patient's dental record the reason for the necessity for more than a seven- (7-) day supply and that a non-opioid alternative was not appropriate to address the patient's condition.

AUTHORITY: section 332.031, RSMo 2016. Emergency rule filed Nov. 7, 2018, effective Nov. 17, 2018, expires May 15, 2019. A proposed rule covering this same material is published in this issue of the Missouri Register.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2231—Division of Professional Registration
Chapter 3—Modified Application and Renewal
Procedures of the Division**

EMERGENCY RULE

20 CSR 2231-3.010 Fee Waiver for Military Families and Low-Income Individuals

PURPOSE: This rule complies with section 324.015.6, RSMo, which requires the Division of Professional Registration to promulgate rules to implement the provisions of section 324.015, RSMo, the waiver of occupational fees for military families and low-income individuals for a period of two (2) years.

EMERGENCY STATEMENT: This emergency rule is necessary because on August 28, 2018 when Senate Bill 843 becomes effective, licensing boards, commissions, committees, councils, and offices will have to, upon request, provide the waiver of all occupational fees to military families and qualifying low-income individuals.

Senate Bill 843, section 324.015, RSMo, provides that, upon request, individuals can seek a waiver of all occupational fees for a two- (2-) year period from licensing authorities in the State of Missouri. The provision requires licensing authorities to waive all occupational fees for a two- (2-) year period beginning upon approval of an application for military families and low-income individuals that meet the requirements detailed in section 324.015, RSMo. Section 324.015.6, RSMo, requires that the Division of Professional Registration promulgate a rule to implement the provisions of section 324.015, RSMo. Senate Bill 843 becomes effective August 28, 2018 and it is in the best interest of the state to make the waiver available to qualifying applicants as soon as possible.

As a result, the Division of Professional Registration finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. The Division of Professional Registration believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed November 7, 2018, becomes effective November 17, 2018, and expires May 15, 2019.

(1) For purposes of this regulation, all terms shall have the same definition as contained in section 324.015.1, RSMo.

(2) Individuals seeking a waiver must apply to the respective licensing authority within the Division of Professional Registration in writing and include documentation that establishes eligibility for the waiver pursuant to 324.015, RSMo.

AUTHORITY: section 324.015, RSMo Supp. 2018. Emergency rule filed Nov. 7, 2018, effective Nov. 17, 2018, expires May 15, 2019. A proposed rule covering this same material is published in this issue of the *Missouri Register*.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2232—Missouri State Committee of Interpreters
Chapter 1—General Rules**

EMERGENCY AMENDMENT

20 CSR 2232-1.040 Fees. The committee is amending section (1).

PURPOSE: This amendment reduces the renewal and reactivation

fee.

EMERGENCY STATEMENT: The State Committee of Interpreters is statutorily obligated to enforce and administer the provisions of sections 209.319 to 209.339, RSMo, governing the practice of sign language interpreting. Section 209.332, RSMo establishes in the state treasury a fund to be known as the "State Committee of Interpreters Fund". The provisions of section 209.332, RSMo, to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two (2) times the amount of the appropriation from the committee's fund for the preceding fiscal year or, if the board requires by rule license renewal fees less frequently than yearly, then three (3) times the appropriation from the fund for the preceding fiscal year. The amount if any, in the fund which shall lapse is the amount in the fund which exceeds the appropriate multiple of the appropriations from the fund for the preceding year. Based on the committee's five- (5-) year projections, the committee finds it necessary to reduce renewal fees for Missouri licensed interpreters.

The Missouri State Committee of Interpreters is statutorily obligated to set all fees, by regulation, necessary to administer sections 209.319 to 209.339, RSMo. Pursuant to section 209.328, RSMo, the committee shall set the appropriate amount of fees by rule, so that the revenue produced shall not substantially exceed the cost and expense of administering the provisions of sections 209.319 to 209.339, RSMo. Therefore, the committee is proposing to decrease the renewal fees for Missouri interpreters from ninety dollars (\$90) to forty dollars (\$40) and the reactivation fee from sixty dollars (\$60) to ten dollars (\$10). Interpreter renewal notices will be mailed on December 1, 2018. Without this emergency amendment, the decreased fee requirements will not be effective prior to mailing and the committee will collect more revenue than it is statutorily authorized to collect. The scope of the emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. In developing this emergency amendment, the committee has determined that the fee decrease is necessary for the 2019–2020 renewal period to prevent funds from exceeding the maximum fund balance thereby resulting in a transfer from the fund to general revenue as set forth in section 209.332.2, RSMo. Pursuant to section 324.001.10, RSMo, a compelling governmental interest is deemed to exist for the purposes of section 536.025, RSMo, for licensure fees to be reduced by emergency amendment, if the projected fund balance of any agency assigned to the Division of Professional Registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue. The committee believes this emergency amendment to be fair to all interested persons and parties under the circumstances. This emergency amendment was filed November 7, 2018, becomes effective November 7, 2018, and expires May 15, 2019.

(1) The following fees are established and are payable in the form of a cashier's check, personal check, or money order:

(B) Annual License Renewal Fee	\$90
1. Effective December 1, 2018 through November 30, 2019	\$40
(E) Reactivation Fee	\$60
1. Effective December 1, 2018 through November 30, 2019	\$10

AUTHORITY: section 43.543, 209.328.2(2), and 324.039, [RSMo 2000, and sections 43.543 and 324.039,] RSMo [Supp. 2013] 2016. This rule originally filed as 4 CSR 232-1.040. Original rule filed Feb. 18, 1999, effective July 30, 1999. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Nov. 7, 2018, effective Nov. 17, 2018, expires May 15, 2019. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo 2016.

**EXECUTIVE ORDER
18-11**

TO ALL DEPARTMENTS AND AGENCIES:

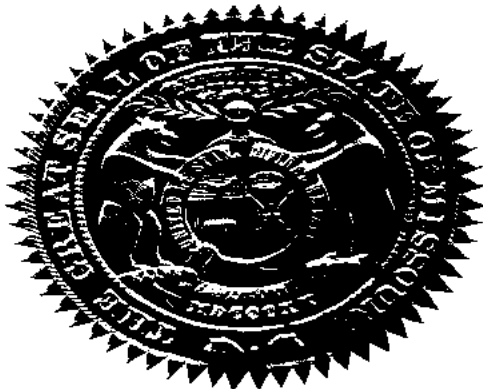
This is to advise that state offices will be closed on Monday, December 24, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 30th day of November, 2018.


MICHAEL L. PARSON
GOVERNOR

ATTEST:


JOHN R. ASHCROFT
SECRETARY OF STATE



Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

sel reports to the general counsel. However, the staff counsel's office performs its advocacy functions independently, under the direction of the chief staff counsel in consultation with the executive director and the directors of the operations and utility services divisions.]

AUTHORITY: section 386.410, RSMo [2000] 2016. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 2—Practice and Procedure

PROPOSED AMENDMENT

4 CSR 240-2.070 Complaints. The commission is amending sections (8) and (15).

PURPOSE: This amendment changes the method of service and is intended to result in jurisdiction acceptable to a reviewing court and removes language barring Staff from advocating a position.

(8) Upon the filing of a complaint in compliance with these rules, the secretary of the commission shall serve by certified mail, postage prepaid, a copy of the complaint upon the person, corporation, or public utility against whom the complaint has been filed, which shall be accompanied by a notice that the matter complained of be satisfied or that the complaint be answered by the respondent, unless otherwise ordered, within thirty (30) days of the date of the notice. **Additionally, the complainant may accomplish service of the complaint upon the respondent(s) by any method authorized by**

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 2—Practice and Procedure

PROPOSED AMENDMENT

4 CSR 240-2.010 Definitions. The commission is amending section (21).

PURPOSE: This amendment reflects the actual organization or practice of the Staff Counsel's Office; there is no longer an executive director, operations division, or utility services division.

(21) Staff counsel means any attorney employed to represent the commission staff in proceedings before the commission. *[For administrative purposes only, the staff counsel's office is considered part of the general counsel's office, and the chief staff coun-*

Supreme Court Rule 54, having first obtained authorization from the commission for use of a special process server. Any person eligible to serve process under Supreme Court Rule 54 may be nominated as a special process server. A return of service shall be promptly filed with the commission as in the circuit courts of this state.

(15) Small Formal Complaint Case. If a customer of a utility files a formal complaint regarding any dispute involving less than three thousand dollars (\$3,000), the process set forth in this section shall be followed for such complaints. The provisions of sections (1)–(14) of this rule shall also apply to small formal complaints.

(D) The commission's staff shall, within forty-five (45) days after the complaint is filed, investigate the complaint and file a report detailing staff's findings and recommendations. The regulatory law judge may allow staff additional time to complete its investigation for good cause shown. The member or members of the commission's staff who investigate the complaint shall be available as a witness at the hearing if the regulatory law judge or any party wishes to call them to testify. *[Staff shall not advocate a position beyond reporting the results of its investigation. If staff believes it should advocate a position, it may file a motion to change the status of the complaint under subsection (B) of this section.]*

AUTHORITY: section 386.410, RSMo [2000] 2016. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 2—Practice and Procedure**

PROPOSED AMENDMENT

4 CSR 240-2.120 Presiding Officers. The commission is amending

section (1).

PURPOSE: This amendment reflects current practice.

(1) A presiding officer shall have the duty to conduct full, fair and impartial hearings, to take appropriate action to avoid unnecessary delay in the disposition of cases, **and** to maintain order, and shall possess all powers necessary to that end[.], **including, but not limited to, convening discovery conferences as needed and resolving discovery disputes.** The presiding officer may take action as may be necessary and appropriate to the discharge of duties, consistent with the statutory authority or other authorities under which the commission functions, and with the rules and policies of the commission.

AUTHORITY: section 386.410, RSMo [Supp. 1998] 2016. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. Amended: Filed June 9, 1987, effective Nov. 12, 1987. Rescinded and readopted: Filed March 10, 1995, effective Nov. 30, 1995. Rescinded and readopted: Filed Aug. 24, 1999, effective April 30, 2000. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 2—Practice and Procedure**

PROPOSED RULE

4 CSR 240-2.205 Variance or Waiver

PURPOSE: This rule consolidates variance and waiver into one (1) rule.

The commission may grant variance from or waive any rule or provision of a rule promulgated by the commission upon a finding of good cause.

AUTHORITY: section 386.410, RSMo 2016. Original rule filed Nov. 7, 2018.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rule with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rule, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

PROPOSED AMENDMENT

4 CSR 240-3.010 General Definitions. The commission is amending section (32).

PURPOSE: This rule updates the reference in (32).

(32) Water utility means a water corporation as defined in section 386.020[(58)](59), RSMo.

AUTHORITY: section 386.250, RSMo [2000] 2016. Original rule filed Aug. 16, 2002, effective April 30, 2003. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional

comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

PROPOSED RESCISSION

4 CSR 240-3.015 Filing Requirements for Utility Company Applications for Waivers or Variances. This rule provided a reference to the commission's practice and procedure rule regarding this subject.

PURPOSE: This rule is being rescinded in its entirety because the reference to Chapter 2 is unnecessary.

AUTHORITY: section 386.250, RSMo 2000. Original rule filed Aug. 16, 2002, effective April 30, 2003. Rescinded: Filed Nov. 7, 2018.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rescission with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rescission, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

PROPOSED RESCISSION

4 CSR 240-3.020 Filing Requirements Regarding Utility Company Name Changes. This rule provided a reference to the commission's practice and procedure rule regarding this subject.

PURPOSE: This rule is being rescinded in its entirety because the reference to Chapter 2 is unnecessary.

AUTHORITY: section 386.250, RSMo 2000. Original rule filed Aug. 16, 2002, effective April 30, 2003. Amended: Filed March 19, 2004, effective Nov. 30, 2004. Rescinded: Filed Nov. 7, 2018.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rescission with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rescission, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

PROPOSED RESCISSION

4 CSR 240-3.025 Utility Company Tariff Filings Which Create Cases. This rule provided a reference to the commission's practice and procedure rule regarding this subject.

PURPOSE: This rule is being rescinded in its entirety because the reference to Chapter 2 is unnecessary.

AUTHORITY: section 386.250, RSMo 2000. Original rule filed Aug. 16, 2002, effective April 30, 2003. Rescinded: Filed Nov. 7, 2018.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rescission with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices

on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rescission, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

PROPOSED AMENDMENT

4 CSR 240-3.030 Minimum Filing Requirements for Utility Company General Rate Increase Requests. The commission is amending sections (1) and (3).

PURPOSE: This rule updates references and simplifies some filing requirements

(1) This rule applies to all electric utilities; *[to all local exchange telecommunications companies with more than five thousand (5,000) access lines;]* to all gas utilities with more than *[one thousand five hundred (1,500)]* **ten thousand (10,000)** customers; to all water utilities with more than *[five thousand (5,000)]* **eight thousand (8000)** customers; to all sewer utilities with more than *[five thousand (5,000)]* **eight thousand (8000)** customers; and to all steam heating utilities*[, under the jurisdiction of the commission]* with more than **one hundred (100)** customers.

(3) At the time a tariff(s) is filed by any company or utility subject to this rule which contains a general rate increase request, an original and *[fourteen (14) copies]* **one (1) copy** of the following information shall be filed with the secretary of the commission and two (2) copies shall be provided to the Office of the Public Counsel:

AUTHORITY: section 386.250, RSMo [2000] **2016**. Original rule filed Aug. 16, 2002, effective April 30, 2003. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information

system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 3—Filing and Reporting Requirements

PROPOSED RESCISSION

4 CSR 240-3.145 Filing Requirements for Electric Utility Rate Schedules. This rule prescribed the form and procedures for filing and publishing schedules of rates of all electric utilities under the jurisdiction of the Public Service Commission.

PURPOSE: This rule will be replaced with a consolidated and streamlined rule in Chapter 20.

AUTHORITY: sections 386.250 and 393.140, RSMo 2000. Original rule filed Aug. 16, 2002, effective April 30, 2003. Rescinded: Filed Nov. 7, 2018.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rescission with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 17, 2019, and should include a reference to Commission Case No. EX-2018-0389. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 28, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rescission, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 240—Public Service Commission Chapter 3—Filing and Reporting Requirements

PROPOSED RESCISSION

4 CSR 240-3.180 Submission of Electric Utility Residential Heat-Related Service Cold Weather Report. This rule set forth the requirements for electric utilities to submit reports regarding services provided during the commission's designated cold weather period.

PURPOSE: This rule is being consolidated and streamlined into Chapter 13.

AUTHORITY: section 386.250, RSMo 2000. Original rule filed Aug. 16, 2002, effective April 30, 2003. Amended: Filed April 24, 2003, effective Dec. 30, 2003. Rescinded: Filed Nov. 7, 2018.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rescission with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rescission, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 240—Public Service Commission Chapter 3—Filing and Reporting Requirements

PROPOSED RESCISSION

4 CSR 240-3.185 Submission of Reports Pertaining to the Decommissioning of Electric Utility Plants. Electric utilities with nuclear plants submit the reports pertaining to the decommissioning trust fund of the nuclear plants as outlined in this rule. The rule pertaining to decommissioning trust funds may be found at 4 CSR 240-20.070.

PURPOSE: This rule is being consolidated into 4 CSR 240-20.070.

AUTHORITY: sections 386.250 and 393.292, RSMo 2000. Original

rule filed Aug. 16, 2002, effective April 30, 2003. Rescinded: Filed Nov. 7, 2018.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rescission with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 17, 2019, and should include a reference to Commission Case No. EX-2018-0389. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 28, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rescission, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

PROPOSED RESCISSION

4 CSR 240-3.250 Submission of Gas Utility Residential Heat-Related Service Cold Weather Report. This rule set forth the requirements for gas utilities providing residential heat-related utility service to submit reports regarding services provided during the commission's designated cold weather period.

PURPOSE: This rule is being consolidated into Chapter 13.

AUTHORITY: section 386.250, RSMo 2000. Original rule filed Aug. 16, 2002, effective April 30, 2003. Amended: Filed April 24, 2003, effective Dec. 30, 2003. Rescinded: Filed Nov. 7, 2018.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rescission with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be sub-

mitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rescission, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 10—Utilities**

PROPOSED AMENDMENT

4 CSR 240-10.020 Income on Depreciation Fund Investments. The commission is amending sections (1), (4), and (5).

PURPOSE: This amendment updates references which are no longer relevant.

(1) In the process of determining the reasonableness of rates for service, income shall be determined on the depreciation funds of the gas, electric, water, [telegraph,] telephone, and heating utilities pertaining to their properties used and useful in the public service in Missouri and shall be applied in reduction of the annual charges to operating income of those utilities.

(4) The rate of three percent (3%) per annum referred to in section (3) shall be applied in the case of each gas, electric, water, [telegraph,] telephone, and heating utility of Missouri; provided, however, that modification of the rate may be made upon the commission's own motion or upon proper showing by a utility that the rate is not reasonably and equitably applicable to it.

(5) Affected utilities shall prepare and include in their annual reports to the commission, [commencing with their annual reports for the year 1945,] and, in the reports that may be required by the commission from time-to-time, schedules showing for the year or period covered by these reports the income from the investment of moneys in depreciation funds. The schedules referred to shall be in the form prescribed by this commission and shall include, among other things that may be prescribed, the principal amount of depreciation funds as represented by balances in depreciation reserve accounts, any adjustments of the depreciation funds and accounts with complete details and explanations of [then] them, and the amount of the income from the investment of moneys in depreciation funds computed at the rate of three percent (3%) per annum or such other rate as may be prescribed by order of this commission.

AUTHORITY: sections 392.280 and 393.260, RSMo [1986] 2016. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 10—Utilities

PROPOSED AMENDMENT

4 CSR 240-10.040 Service and Billing Practices for Commercial and Industrial Customers of Electric, Gas, Water and Steam Heat Utilities. The commission is amending section (4).

PURPOSE: This amendment updates references which are no longer relevant.

(4) Each utility may require from any customer at any time a cash deposit or, at its option, a personal guarantee of a responsible person provided that the amount of any such deposit or guarantee so required shall not exceed an estimated bill covering one (1) billing period plus thirty (30) days. A cash deposit shall bear interest at a rate specified in the utility's tariffs, approved by the commission, which shall be credited annually upon the account of the customer or paid upon the return of the deposit, whichever occurs first, and provided the cash deposit remains for a period of at least six (6) months. *[The rate of interest of the cash deposit shall be only three percent (3%) per annum if the utility keeps the cash deposit in a separate and distinct trust fund and deposited as such in some bank or trust company and not used by the utility in the conduct of its business.]* These provisions shall not apply to any deposits or guarantees made by the customer for the purpose of securing an extension of or additions to a utility's distributing system in accordance with the utility's rules covering these extensions as filed with this commission. Interest shall not accrue on any cash deposit after the date the utility has made a bona fide effort to return that deposit to the depositor. The utility, in its records, shall keep evidence of its effort to return the deposit. Each utility shall file with the commission, *[by April 12, 1993,]* a tariff setting forth the interest rate payable on cash deposits, unless the utility already has a rate of interest set forth in its tariff.

AUTHORITY: sections 386.250, *[RSMo Supp. 1991 and]* 393.140, and 393.290, RSMo *[1986]* 2016. Original rule filed March 5, 1953, effective March 15, 1953. Amended: Filed Sept. 22, 1959, effective Oct. 1, 1959. Amended: Filed May 2, 1968, effective May 16, 1968. Amended: Filed June 10, 1992, effective Feb. 26,

1993. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 13—Service and Billing Practices for Residential Customers of Electric, Gas, Sewer, and Water Utilities

PROPOSED AMENDMENT

4 CSR 240-13.010 General Provisions. The commission is deleting section (3) and renumbering section (4).

PURPOSE: This amendment removes redundant language.

[(3) Use of the informal process contained in these rules shall not constitute a formal complaint as defined in 4 CSR 240-2.070.]

[(4)](3) A utility shall adopt rules governing its relations with customers and applicants for service which are consistent with this chapter. The rules shall be part of a utility's tariffs and shall be consistent with this chapter. Any tariff revisions, if required to comply with this chapter or to reflect any variances previously granted by the commission, shall be filed by the utility within ninety (90) days of the effective date of this rule. Once such revised tariffs become effective, the utility's tariffs shall be deemed to be in full compliance with this chapter.

AUTHORITY: sections 386.250(6) and 393.140(11), RSMo *[2000]* 2016. Original rule filed Dec. 19, 1975, effective Dec. 30, 1975. Amended: Filed Oct. 14, 1977, effective Jan. 13, 1978. Rescinded and readopted: Filed Sept. 22, 1993, effective July 10, 1994. Amended: Filed Aug. 1, 2013, effective March 30, 2014. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 13—Service and Billing Practices for Residential Customers of Electric, Gas, Sewer, and Water Utilities

PROPOSED AMENDMENT

4 CSR 240-13.015 Definitions. The commission is amending subsections (1)(A) and (1)(G).

PURPOSE: This amendment clarifies definitions contained in this chapter.

(1) The following definitions shall apply to this chapter:

(A) Applicant means an individual(s) or other legal entity who has *[applied to receive residential]* requested utility service **but has not yet received service at the requested location;**

(G) Customer means a person or legal entity *[responsible]* who **is presently or has previously received service from the utility and accepted responsibility** for payment for service, except one denoted as a guarantor;

AUTHORITY: sections 386.250(6) and 393.140(II), RSMo [2000] 2016. Original rule filed Sept. 22, 1993, effective July 10, 1994. Amended: Filed March 24, 2004, effective Oct. 30, 2004. Amended: Filed Aug. 1, 2013, effective March 30, 2014. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition

to the proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 13—Service and Billing Practices for Residential Customers of Electric, Gas, Sewer, and Water Utilities

PROPOSED AMENDMENT

4 CSR 240-13.020 Billing and Payment Standards. The commission is amending section (1).

PURPOSE: This amendment removes unnecessary language.

(1) A utility shall *[normally]* render a bill for each billing period to every residential customer in accordance with commission rules and its approved tariff.

AUTHORITY: sections 386.250(6) and 393.140(II), RSMo [2000] 2016. Original rule filed Dec. 19, 1975, effective Dec. 30, 1975. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission

Chapter 13—Service and Billing Practices for Residential Customers of Electric, Gas, Sewer, and Water Utilities

PROPOSED AMENDMENT

4 CSR 240-13.025 Billing Adjustments. The commission is amending subsection (1)(D).

PURPOSE: This amendment changes language to allow flexibility.

(1) For all billing errors, the utility will determine from all related and available information the probable period during which the condition causing the errors existed and shall make billing adjustments for that period as follows:

(D) No **utility is required to issue a billing adjustment** *[shall be made]* if the full amount of the adjustment is less than one dollar (\$1);

AUTHORITY: section 393.140(11), RSMo [2000] 2016. Original rule filed Sept. 22, 1993, effective July 10, 1994. Amended: Filed Aug. 1, 2013, effective March 30, 2014. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission

Chapter 13—Service and Billing Practices for Residential Customers of Electric, Gas, Sewer, and Water Utilities

PROPOSED AMENDMENT

4 CSR 240-13.030 Deposits and Guarantees of Payment. The

commission is amending section (3).

PURPOSE: This clarifies the language of the deposit procedure in this chapter.

(3) *[Deposits for gas and electric service]* **If the customer is unable to pay the entire deposit** assessed under the provisions of subsection (2)(A) or (C) of this rule during the months of November, December, and January, **the deposit for gas and electric service may be paid**, *if the customer is unable to pay the entire deposit,* by installments over a six (6)-month period.

AUTHORITY: sections 386.250(6) and 393.140(11), RSMo [2000] 2016. Original rule filed Dec. 19, 1975, effective Dec. 30, 1975. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission

Chapter 13—Service and Billing Practices for Residential Customers of Electric, Gas, Sewer, and Water Utilities

PROPOSED AMENDMENT

4 CSR 240-13.050 Discontinuance of Service. The commission is removing the physician's certificate after section (12).

PURPOSE: This removes the actual physician's certificate of medical need for utility service.

(12) Upon the customer's request, a utility shall restore service consistent with all other provisions of this chapter when the cause for discontinuance has been eliminated, applicable restoration charges have been paid and, if required, satisfactory credit arrangements have been made. At all times, a utility shall make reasonable effort to

restore service upon the day service restoration is requested, and in any event, restoration shall be made not later than the next working day following the day requested by the customer. The utility may charge the customer a reasonable fee for restoration of service, if permitted in the utility's approved tariffs.

[PHYSICIAN'S CERTIFICATE OF MEDICAL NEED FOR UTILITY SERVICE]

The Missouri Public Service Commission requires utilities under its jurisdiction to honor physician's certificates, or a physician's letter on the physician's letterhead, which attests to the fact that a utility customer or any permanent resident of the household has a serious medical condition, and clearly states that the discontinuance of that utility's service would rapidly either give rise to a substantial risk of death or gravely impair the health of the customer or another permanent household resident.

A licensed physician or other licensed health care professional providing health care services to the patient may initially notify the utility of the serious medical condition and substantial risk of death or grave impairment of health resulting from discontinuance of utility service. However, the notice must be followed within fourteen (14) days by the certificate or letter referenced above. The certificate is valid for at least twenty-eight (28) days from the date of first notice.

You are being asked to verify that the stated medical condition exists. This certificate allows the utility customer time to secure payment for utility service or to make alternate arrangements for care of the patient. Thank you for your cooperation.

To: (Name of Utility)

Date:

I certify that loss of (electric / gas / water/ sewer) utility service would rapidly either give rise to a substantial risk of death or gravely impair the health of my patient, _____, who lives at _____.

The nature of the serious medical condition is (fill in) _____.

The effect of loss of the selected utility service would be (fill in) _____.

I am licensed to practice medicine by the Missouri State Medical Board or a comparable licensing authority in the State of _____.

Physician's Signature

Physician Name (Please Print)
Address
Phone Number]

AUTHORITY: sections 386.250(6) and 393.140(11), RSMo [2000] 2016. Original rule filed Dec. 19, 1975, effective Dec. 30, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission

Chapter 13—Service and Billing Practices for Residential Customers of Electric, Gas, Sewer, and Water Utilities

PROPOSED AMENDMENT

4 CSR 240-13.055 Cold Weather Maintenance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather. The commission is amending the purpose and adding section (15).

PURPOSE: This amendment is to correct a rule reference error and streamline provisions formerly in Chapter 3.

(3) Notice Requirements. From November 1 through March 31, prior to discontinuance of service due to nonpayment, the utility shall—

(C) Attempt to contact the customer at the time of the discontinuance of service in the manner specified by 4 CSR 240-13.050(8)(9);

(15) Each utility providing heat-related utility service shall submit as a non-case related filing a report with the commission for each calendar month no later than the twentieth (20th) day of the following month. The utility shall provide a copy of each report to the Office of the Public Counsel. The utility shall report for each operational district into which the utility has divided its Missouri service territory the number of days it was permitted to discontinue service under 4 CSR 240-13.055, and the utility shall

separately report on the information listed below for customers receiving energy assistance and customers who are affected by 4 CSR 240-13.055 and not known to be receiving energy assistance. All information submitted shall be considered public information; however, no customer-specific information shall be re-reported or made public. Utilities providing both electric and gas service shall report the following information separately for their gas-only territory:

(A) How many customers were—

1. Disconnected at the end of the period;
2. Of those disconnected, how many customers had service discontinued for nonpayment during the period; and
3. Of those discontinued during the period, how many customers were restored to service during the period.

(B) Of customers reported as disconnected at the end of the period—

1. How many had broken a cold weather rule pay agreement;
2. How many had broken a non-cold weather rule pay agreement; and
3. How many had not been on a pay agreement.

(C) Of those customers reconnected during the period—

1. How many customers received energy assistance (pledged or paid) from—

A. Low Income Home Energy Assistance Program (LIHEAP);

B. Energy Crisis Intervention Program (ECIP); and

C. Other services known to the utilities.

2. How much energy assistance was provided by—

A. LIHEAP;

B. ECIP;

C. Other sources known to the utility; and

D. Customer.

(D) Of customers restored to service during the period—

1. How many were put on a cold weather rule pay agreement; and
2. How many were put on a non-cold weather rule pay agreement.

(E) How much was owed by those disconnected at the end of the period—

1. How much was owed by those disconnected during the period; and
2. How much was owed by those reconnected during the period.

(F) How many customers were registered under 4 CSR 240-13.055(1)(D) at the end of the period—

1. How many customers registered during the period; and
2. How many of such registered customers had service discontinued during the period.

(G) For how many customers during the period did the utility receive—

1. LIHEAP;

2. ECIP; and

3. Other assistance known to the utility.

(H) How much cash did the utility receive on behalf of customers during the period from—

1. LIHEAP;

2. ECIP; and

3. Others known to the utility.

(I) How many customers who requested reconnection under terms of this rule were refused service pursuant to section 4 CSR 240-13.055(11).

(J) How many customers received energy assistance insufficient in amount to retain or restore service.

(K) The number of customers who agreed to pay for their heat-related utility service under a payment agreement in accordance with 4 CSR 240-13.055.

AUTHORITY: sections 386.250 [and], 393.140, [RSMo 2000,]

and [section] 393.130, RSMo [Supp. 2013] 2016. Original rule filed June 13, 1984, effective Nov. 15, 1984. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 18, 2019, and should include a reference to Commission Case No. AX-2018-0395. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 29, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 13—Service and Billing Practices for Residential Customers of Electric, Gas, Sewer, and Water Utilities

PROPOSED AMENDMENT

4 CSR 240-13.070 Commission Complaint Procedures. The commission is amending section (4).

PURPOSE: This amendment is to clarify the complaint process.

(4) If the staff is unable to resolve the **informal** complaint to the satisfaction of the parties, the staff shall call the complainant and utility and note such conversation into the commission's electronic file and information system and send a dated letter or email to that effect to the complainant and to the utility. Staff shall also advise the customer of his/her right to file a formal complaint with the commission under 4 CSR 240-2.070.

AUTHORITY: sections 386.250(6) and 393.140(11), RSMo [2000] 2016. Original rule filed Dec. 19, 1975, effective Dec. 30, 1975. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private enti-

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Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 20—Electric Utilities

PROPOSED AMENDMENT

4 CSR 240-20.070 Decommissioning Trust Funds. The commission is adding sections (4), (8), (13), and (14), amending section (7), and renumbering as needed.

PURPOSE: This rule is being amended to correct a reference and consolidate report requirements previously in Chapter 3.

(4) Every three (3) years, utilities with decommissioning trust funds shall perform and file with the commission cost studies detailing the utilities' latest cost estimates for decommissioning their nuclear generating unit(s) along with the funding levels necessary to defray these decommissioning costs. These studies shall be filed along with appropriate tariff(s) effectuating the change in rates necessary to accomplish the funding required. In addition, the commission, at any time for just cause, may require a utility to file an updated decommissioning cost study, funding requirement and associated tariff(s).

[(4)](5) Each utility shall establish a tax-qualified externally managed trust fund for the purpose of collecting funds to pay for decommissioning costs. The tax-qualified trust shall be established and maintained in accordance with the provisions of the *Internal Revenue Code*. If the utility has collected funds in excess of the Internal Revenue Service's (IRS) tax-qualified amount, a nontax-qualified externally managed trust fund shall be established and maintained for all these funds. These trust funds shall be administered pursuant to the following requirements:

(A) Each utility shall submit a copy of the decommissioning trust agreement and any other agreement entered into between the utility, trustee, and investment manager(s) for approval by the commission. The listing of trustee fees shall be contained in or attached to the trust agreement itself. Any change in the trust agreement, trustee, or investment manager(s) also shall be submitted to the commission for approval;

(B) The commission shall have the authority to require each utility

to change the trustee or investment manager(s) of a decommissioning trust for good cause shown. The commission shall be informed of any significant disputes between the utility, the trustee, or investment manager(s);

(C) Each utility shall maintain separate tax qualified trusts for each nuclear generating unit. All decommissioning trusts shall be maintained to show the amounts contributed annually by Missouri jurisdictional customers. Amounts to be contributed annually for Missouri jurisdictional customers shall be computed based on the jurisdictional allocator used in the company's last general rate proceeding unless otherwise ordered by the commission;

(D) The decommissioning trust shall be funded through no less than quarterly payments by the utility. The tax-qualified trust shall be funded with the lesser of the utility's decommissioning costs reflected in its cost of service or the maximum amount allowable by the IRS. All funds in excess of the IRS's ruling amount shall be placed in a nonqualified trust;

(E) The trustee or investment manager(s) shall invest the tax-qualified trust assets and nontax-qualified trust assets only in assets that are prudent investments for assets held in trust and in a manner designed to maximize the after-tax return on funds invested, consistent with the conservation of the principal, subject to the limitations specified as follows:

1. The trustee and investment manager(s) shall not invest any portion of the tax-qualified or nontax-qualified trust's funds in the securities or assets of the following:

A. Any owner or operator of a nuclear power plant;

B. Any index fund, mutual fund, or pooled fund in which more than fifteen percent (15%) of the assets are issued by owners or operators of nuclear power plants;

C. Any affiliated company of the utility; or

D. The trustee or investment manager's(s') company or affiliated companies (This limitation does not include time or demand deposits offered through the trustee or investment manager's(s') affiliated banking operations.);

2. The nontax-qualified trust shall be subject to the prohibitions against self-dealing applicable to the tax qualified trust as specified in the *Internal Revenue Code*; and

3. A utility's total book value of investments in equity securities in all of its decommissioning trusts shall not exceed sixty-five percent (65%) of the trust funds' book value; and

(F) All income earned by a trust's funds shall become a part of that trust's funds.

[(5)](6) The utility shall take every reasonable action to provide reasonable assurance that adequate funds are available at the nuclear generating unit's termination of operation, so that decommissioning can be carried out in a safe and timely manner and that lack of funds does not result in delays that may cause undue health and safety hazards.

[(6)](7) The utility shall maintain its nuclear generating unit(s) in a manner calculated to minimize the utility's total cost of maintenance and decommissioning, consistent with the prudent operation of the unit.

(8) At the time a tariff(s) is filed by a utility, which proposes any change in rates due to changes in the estimate of decommissioning cost or the funding level of its nuclear decommissioning trust fund(s), the utility shall file the following minimum information in support of the need for changes in its tariff rates:

(A) An updated decommissioning cost study which estimates the cost of decommissioning and the funding levels necessary to defray these costs. This study shall contain the following information:

1. Detailed quantities and unit prices in current dollars for each system of the nuclear generating unit to be decommissioned;
2. A detailed breakdown between radioactive contaminated

systems and those systems which are not contaminated by radioactivity;

3. Funding levels which are computed on a levelized basis and which accrue future decommissioning costs over the remaining licensed life of the nuclear generating unit. The utility shall include the earnings rate and inflation rate assumed in the cost study as compared to those assumed in any previous study;

4. A detailed description of any facilities that were added to or deleted from the cost study filed in the previous case;

5. The beginning date for the expenditure of funds for decommissioning assumed in the study shall be no later than the expiration date of the unit's current Nuclear Regulatory Commission (NRC) license; and

6. The study shall consider and evaluate all reasonable practices or procedures which would reduce the ultimate cost of decommissioning; and

(B) A summary description of the reasons (for example, changes in regulation, technology, or economics) that brought on the need to change the decommissioning cost estimate.

[(7)](9) Upon the filing of the appropriate tariff(s) as set forth in 4 CSR 240-3.180 for this rule, the commission shall establish a schedule of proceedings which shall be limited in scope to the following issues:

(A) The extent of any change in the level or annual accrual of funding necessary for the utility's decommissioning trust fund; and

(B) The changes in rates which would reflect any change in the funding level or accrual rate.

[(8)](10) For a fund intended to be tax qualified, after receipt of any commission order modifying the annual decommissioning funding requirements, the affected utility shall apply for an adjusted IRS ruling in a timely manner, seeking deductibility of the new annual decommissioning cost accruals consistent with the effective dates given in the order. Pending final IRS approval, the utility shall be authorized to continue funding at the level which existed prior to the commission order provided that the utility will take all appropriate action to preserve the tax deduction of the amounts subsequently approved in the IRS ruling.

[(9)](11) Distributions may be made from a nuclear decommissioning trust fund only to satisfy the liabilities of the utility for nuclear decommissioning costs relating to the nuclear generating unit for which the decommissioning fund was established and to pay administrative costs, income taxes, and other incidental expenses of the trust fund. The utility shall not use proceeds of the trust for the purpose of filing for an updated tax ruling or to qualify the trust.

[(10)](12) Each utility shall file with the commission the detailed plan required by the Nuclear Regulatory Commission (NRC) for the decommissioning of its nuclear generating unit when that plan is filed with the NRC. Before any distribution of decommissioning trust funds are made for the decommissioning of its nuclear generating unit, the utility must notify and obtain commission approval of its intent to make this distribution.

(13) The utility or the trustee shall file reports quarterly to the commission. The reports shall contain the following information:

(A) A total of all jurisdictional balances of the trust fund(s) based on a carrying cost (book) value;

(B) A total of all jurisdictional balances of the trust fund(s) based on a market value;

(C) A Missouri jurisdictional balance of the trust fund(s) based on a carrying cost (book) value;

(D) A Missouri jurisdictional balance of the trust fund(s) based on a market value;

(E) A summary of the trust account including the utility's contributions, incomes, expenses, and a weighted average after-tax return for the quarter;

(F) A portfolio summary per asset class by amount and percentage;

(G) A detailed report of daily transactions; and

(H) Any other information the commission orders the utility or trustee to provide.

(14) The utility or the trustee shall file reports annually to the commission that contain the following information:

(A) An asset maturity schedule;

(B) A summary of the trust's portfolio of investments including a listing of each security detailing the carrying cost, current market value, maturity date, estimated annual income, and the yield to maturity;

(C) A copy of all correspondence including income tax returns and tax exempt rulings concerning the trust with the Internal Revenue Service (IRS) or any state revenue agency; and

(D) Any other information the commission orders the utility or trust to provide.

[[11]](15) The utility shall conduct the decommissioning of its nuclear generating unit in accordance with NRC requirements and must not knowingly allow any procedure that would unreasonably endanger human life or the environment.

[[12]](16) Upon termination of the trust, the utility shall file with the commission the appropriate tariff(s) to reflect the termination of payments into the decommissioning trust fund, as well as refund or credit any over collection of these funds.

[[13]](17) Upon proper application and after due notice and hearing, the commission may waive any provision of this rule for good cause shown.

[[14]](18) The commission may adopt further amendments as it deems necessary for the sound management of the trust fund(s), consistent with the purpose of this rule.

AUTHORITY: sections 386.250 and 393.292, RSMo [2000] 2016. Original rule filed Nov. 27, 1989, effective March 26, 1990. Amended: Filed May 4, 1993, effective Dec. 9, 1993. Amended: Filed Aug. 16, 2002, effective April 30, 2003. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed amendment with the Missouri Public Service Commission, Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 17, 2019, and should include a reference to Commission Case No. EX-2018-0389. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 28, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri

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Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission

Chapter 20—Electric Utilities

PROPOSED RULE

4 CSR 240-20.105 Filing Requirements for Electric Utility Rate Schedules

PURPOSE: This rule updates language and streamlines provisions formerly in Chapter 3.

(1) Every electrical corporation, as defined in section 386.020, RSMo, engaged in the manufacture, generating, furnishing or transmission of electricity for light, heat, or power within Missouri is directed to have on file with this commission a schedule of all rates, rentals, and charges of whatever nature made by the electrical corporation for each kind of service it renders which are in force, together with proper supplements covering all changes in rate schedules authorized by this commission, if any.

(2) Every electrical corporation is directed to publish all of its schedules of rates with this commission as follows:

(A) To keep all of its schedules of rates established and filed with this commission in its main or principal operating office and in each division office which is now or may be established;

(B) To keep at each of its branch business offices where contracts for service are made or payment for customer's service is received, copies of all of its established schedules of rates which apply within the area served; and

(C) That all schedules of rates, at all times during business hours, shall be readily accessible to the public and shall be immediately produced for inspection upon the demand of any person. The production for inspection of schedules of rates shall be accompanied by such assistance on the part of the proper representative of the electrical corporation having a schedule to determine accurately the rate or charge applicable to any particular kind of electrical service.

(3) All schedules of rates, rentals, and charges, or rules relating and applying to service rendered in connection with the supplying of electrical energy for light, heat, and power or for any service rendered in connection with electrical energy supply, lawfully on file with the commission will be considered as continuing in force and may be amended in the manner provided in this rule.

(4) All schedules of rates must conform to this rule or they will be subject to rejection by the commission when tendered for filing. The commission reserves the right to direct the reprinting of any schedule at any time.

(5) In classifying rates for electrical service the following uniform system of classification will be followed as closely as practical:

(A) All lighting rates for residences, business places, theaters, public buildings, and the like will be placed under the head of commercial lighting;

(B) All power rates, including rates for battery charging, will be placed under the head of commercial power; and

(C) All rates for street lighting, including municipal street lighting and the free lighting of public buildings as is done in connection with street lighting will be placed under the head of street lighting.

(6) All schedules of rates filed with the commission shall bear a

number with the following prefix: PSC Mo. Rate schedules shall be numbered in consecutive serial order commencing with a No. 1 for each electrical corporation (for example, the first schedule PSC Mo., No. 1). The prefixes and numbers shall be printed on schedules as required by section (9) of this rule. For convenience the prefix is referred to as PSC.

(7) All sheets except the title page must show in the marginal space at the top of page or sheet, the name of the electrical corporation issuing the PSC No., the number of the schedule and the number of the page or sheet. At the bottom of the sheet in the marginal space must be shown, the date of issue and effective date, and the name, title and address of the officer by whom the schedule is issued.

(8) The title page or sheet, if loose leaf, of every schedule of rates shall show—

(A) The full corporate name of the issuing electrical corporation;

(B) The PSC number of the schedule in bold type in the center of the marginal space at top of the page and immediately under it in small type the PSC number(s) canceled;

(C) A brief description of the service areas from and to or within which the schedule applies;

(D) When a schedule rate is governed by a general publication, the reference to the general publication by its PSC number must be given. The following phraseology, as the case may be, will be used: "Governed except as otherwise provided herein by schedule PSC Mo. No., which schedule, revised and added pages or sheets or superseding issues thereof is hereby made a part of this schedule." The rate publication referred to must be on file with the commission and be kept at every place where the schedule making reference is to be kept for public inspection;

(E) The date of issue and the date effective. If the schedule or any portion is made to expire on a specified date, the following clause must be used: "expires, unless sooner changed, canceled, or extended";

(F) On every schedule, supplement or revised or added sheet issued on less than thirty (30) days' notice, by permission of the commission, the following notation must be shown: "Issued on ____ days' notice to the public and the commission under special permission of the Public Service Commission of Missouri, No. ____ of date ____." If issued in compliance with an order of the commission, the following notation must be shown: "Issued on ____ days' notice to the public and the commission under order of the Public Service Commission of Missouri, of date ____, in Case No. ____," when issued by authority of any section of this rule, the notice must be that required by the particular section granting permission;

(G) On the upper left-hand corner of a schedule of fewer than three (3) pages and on schedules issued in loose-leaf form, the words, "No supplement to this tariff will be issued except for the purpose of canceling this tariff." A schedule, not in loose-leaf form, of three (3) or more pages shall include the words, "Only one supplement to this schedule will be in effect at any one time"; and

(H) On the marginal space at the bottom of page will be given the name, title and address of the officer by whom the schedule is issued, the date of issue, and the effective date.

(9) The schedule shall contain in the order named—

(A) Table of Contents. Provide full and complete statement in alphabetical order of the exact location where information under the general headings or subjects will be found, specifying the page of item numbers. If the schedule contains so small a volume of matter that its title page or interior arrangement plainly may disclose its contents, the table of contents may be omitted;

(B) Description of Territory. A more lengthy description of the territory to be served than can be briefly set forth on the title page will often be necessary; any items in this category which bear any relation to the various rates should be explained under this heading;

(C) Classification of Service. Under this heading the kind of service separately grouped for commercial lighting, commercial power,

and street lighting will be set forth in the order named together with a detailed statement of the rate(s) in connection with same. A definite separation must be made between prompt payment discount and quantity discount and stating the manner in which they are computed clearly. If guarantees of any nature are required or a minimum charge made, the principles upon which they are based must be stated. In this case give the company's charges or deposits for meters. If penalties for delayed payments are exacted, the same must be stated. State whether current is estimated or metered and if so, how. State the company's practice in regard to lamp renewals. If a charge is made to the consumer for installing and connecting the service wires, this should be stated. State the character of the service, whether twenty-four (24)-hour or limited until midnight, whether the service is limited to certain hours of the day, on-peak, off-peak, optional service, auxiliary service, breakdown service, and the like. The kind of current, such as alternating or direct, together with the voltage, phase and frequency must be given in all cases;

(D) Rules. Under this heading will be set forth all rules which apply to contracts for furnishing electrical energy for light, heat, and power, and all of the company's rules in any way relating to service, together with any particular regulations relating to a special contract for service rendered which have not already been stated in connection with the description of rates under section (5) of this rule; and

(E) Definition and Explanation of Reference Marks. Under this heading, as its name implies, shall be given the necessary description of any reference marks employed in connection with the rate tables, that is, explain the meaning of watt, kilowatt hour, horsepower, and the like. If symbols or abbreviations are used, explain their meanings, such as kilowatt hour for K.W.H.; ampere for amp. When ratings are used based on capacity installation or a percentage of capacity installation, a table of equivalents for estimating these ratings must be given. For example, one (1) sixteen (16)-candle power carbon filament lamp equals about fifty-five (55) watts. If terms maximum demand, load factor, rated capacity, peak, and the like, are used in the schedule, these should be explained under this caption. All definitions of terms and explanation of terms or symbols, abbreviations or reference marks should be arranged in logical sequence and in a manner that they will be readily understood.

(10) If a schedule or supplement to a schedule is issued which conflicts with a part of another schedule or supplement of a schedule which is in force at the time and which is not canceled in full, it specifically shall state the portion of the other schedule which is canceled and the other schedule, at the same time, shall be correspondingly amended, effective on the same date, in the regular way; and the supplement to the amended schedule shall be filed at the same time and in connection with the schedule which contains the new rates, rentals, or charges.

(11) If a schedule is canceled with the purpose of canceling entirely the rates, rentals, or charges named in the schedule or when through error or omission, a later issue failed to cancel the previous issue and a schedule is canceled for the purpose of perfecting the record, the cancellation notice must not be given a new PSC number, but must be issued as a supplement to the schedule which it cancels, even though the schedule at the time may have a supplement in effect.

(12) If a schedule or a part of a schedule is canceled, the cancellation notice shall make specific notice to the PSC number of the schedule in which the rates, rentals, or charges will be found; or if no rates, rentals, or charges are in effect, it shall state so. Cancellation of a schedule also cancels a supplement to the schedule in effect, if any. If a schedule is canceled by a similar schedule to take its place, the cancellation notice must not be given by supplement, but by notice printed in a new schedule.

(13) A change in a schedule shall be known as an amendment and excepting amendments to schedules issued in loose-leaf form, shall be printed in a supplement to the schedule which it amends, specifying

the schedule by its PSC number. The supplement shall be reissued each time an amendment is made and shall always contain all the amendments to the schedule that are in force. Supplements to schedules shall be numbered consecutively as supplements to the schedules and shall not be given new or separate PSC numbers. An amendment must always be printed in the supplement in its entirety as amended.

(14) A schedule which contains reissued items brought forward from a previous issue which has not been in effect thirty (30) days or a supplement which brings forward reissued items without change from a former supplement or schedule, must bear the notation "Effective _____, except as noted in individual items." "Example: Issued _____, 20____; effective _____, 20____, except as noted in individual items." Reissued items brought forward without change must show in a conspicuous form and convenient manner the following: "Reissue" in black face type; the effective or the date upon which it becomes effective; in PSC Mo. No. _____ "or in supplement No. _____ to PSC Mo. No. _____." When the reissued item became effective in a former supplement to the same schedule, the PSC number may be omitted, but the supplement number must be given.

(15) Except as otherwise provided in this rule, there shall be at no time more than one (1) supplement in effect to any schedule and the effective supplement to a schedule of twenty (20) or more pages may not contain more than twenty percent (20%) of the number of pages or sheets in the schedule, including the title page, a supplement to a schedule of fewer than twenty (20) pages or ten (10) sheets may not contain more than four (4) pages or two (2) sheets, including the title page.

(16) All changes in and additions to schedules issued in loose-leaf form must be made by reprinting both pages of the leaf or sheet upon which the change is made. When no change or addition is made on one (1) of the pages reprinted, it must bear the notation, "No change in this page." Those pages or sheets shall not be given supplement numbers, but must be designated "First revised page or sheet," "Second revised page or sheet," and the like and must show the name of the issuing corporation and the PSC number of the schedule, the issued and effective dates and the name, title and address of the officer by whom issued.

(17) If a new schedule is filed on statutory notice canceling another schedule and after that filing and prior to the effective date of the new schedule, a supplement to the schedule to be so canceled should be lawfully issued, the rates, rentals, or charges in that supplement could not continue in effect for the thirty (30) days required by law because the cancellation of the schedule also cancels the supplement to it. In this case the supplement containing changes not included in the schedule that is to become effective may be issued as a supplement both to the schedule in effect and to the schedule on file that will effect a cancellation and be given both PSC numbers. In other words, such an issue must be a supplement of each of the schedules and copies must be filed accordingly. A supplement issued under this rule containing reissued items shall note in connection with each item, in addition to the effective date required by this rule, that the reissued items expire on the date on which the new schedule will apply in lieu thereof; and the reissued items must not be brought forward in a subsequent supplement to the new schedule. This supplement may not contain any changes except those lawfully made by supplement to the schedule which is to be canceled by the schedule that has been filed and that is also supplemented; and no other kind of a supplement to a schedule that is on file and not yet effective may be made effective within thirty (30) days from the effective date of the schedule without special permission of the commission.

(18) The provisions of section (16) of this rule as to the number of supplements to a schedule that may be in effect at any time and the

volume of supplemental matter they may contain need not be observed in connection with a supplement issued under sections (14)-(18) of this rule.

(19) In case of change of ownership and operation of any electrical corporation's property or of the electrical corporation in possession and operating the property, the electrical corporation taking over the operation of the properties, if the existing rates would otherwise remain legally effective, shall issue immediately and file with the commission, with PSC number, an adoption notice substantially as follows:

(A) "The (name of the electrical corporation) hereby adopts, ratifies, and makes its own, in every respect as if the same had been originally filed by it, all schedules, rules, notices, concurrences, schedule agreements, divisions, authorities, or other instruments whatsoever, filed with the PUBLIC SERVICE COMMISSION, State of Missouri, by the (name of the electrical corporation), prior to (date), the beginning of its possession. By this notice it also adopts and ratifies all supplements or amendments to any of the above schedules, etc., which (name of the electrical corporation) has heretofore filed with said commission. This notice may be made effective as of the date it is filed with the commission.";

(B) In the event that the successor corporation does not intend to adopt some of those schedules, rates, rules, notices, concurrences, authorities, or other instruments, the notice shall specify those which are not adopted, and the successor corporation as to such exceptions shall give the cancellation or withdrawal notice provided in this rule;

(C) The adoption notice shall stand and be effective as to all of the local issues of the predecessor electrical corporation; and

(D) In case of a receivership, the receiver shall be deemed as continuing in force the schedules and rules of the corporation whose property s/he has in charge.

(20) Schedules and schedule supplements shall be filed with the commission by the proper officer of the electrical corporation designated to perform that duty; and supplements must be on file with the commission or accompany the schedule or supplement.

(21) All changes in rates, charges, or rentals or in rules that affect the rates, charges, or rentals shall be filed with the commission at least thirty (30) days before the date upon which they are to become effective. The title page of every rate schedule or supplement and the reissue on any page or sheet must show a full thirty (30) days' notice except as otherwise provided in this rule. The proposed change shall be accompanied by a brief summary, approximately one hundred (100) words or less, of the effect of the change on the company's customers. A copy of any proposed change and summary shall also be served on the public counsel and be available for public inspection and reproduction during regular office hours at the general business office of the utility.

(22) Each electrical corporation has the duty of filing with the commission all its schedules of rates and supplements or any rule relative to them which may be announced by the commission, under penalty for failure to do so. The commission will give consistent assistance as it can in this respect, but the fact that the receipt of a rate schedule or a supplement to a rate schedule is acknowledged by the commission, or the fact that a rate schedule or supplement to a rate schedule is in the files of the commission, will not serve or operate to excuse the electrical corporation or municipality from its responsibility or liability for any violation of the law or of any ruling lawfully made which may have occurred in connection thereunder with the construction of filing of a rate schedule or supplement.

(23) Thirty (30) days' notice to the commission is required as to every publication relating to electrical rates or service except where publications are made effective on less than statutory notice by permission, regulation, or requirement of the commission.

(24) Except as is otherwise provided, no schedule or supplement will be accepted for filing unless it is delivered to the commission free from all charges or claims for postage, the full thirty (30) days required by law before the date upon which the schedule or supplement is stated to be effective. No consideration will be given to or for the time during which a schedule or supplement may be held by the post office authorities because of insufficient postage. When a schedule or a supplement is issued and as to which the commission is not given the statutory notice, it is as if it had not been issued and a full statutory notice must be given of any reissue. No consideration will be given to telegraphic notices in computing the thirty (30) days' notice required. In these cases the schedule will be returned to the sender and correction of the neglect or omission cannot be made which takes into account any time elapsing between the date upon which that schedule or supplement was received and the date of the attempted correction. For rate schedules and supplements issued on short notice under special permission of the commission, literal compliance with the requirements for notice named in any order, regulation, or permission granted by the commission will be exacted.

(25) When a schedule is rejected by the commission as unlawful, the records will so show and that schedule should not in the future be referred to as canceled, amended, or otherwise except to note on the publication issued in lieu of that rejected schedule, "In lieu of _____, rejected by the commission;" nor shall the number which it bears be used again.

(26) Rates, charges, or rentals or regulations relating to them, prescribed by the commission in its decisions and orders, after hearings upon formal complaints, shall in every instance be promulgated by the electrical corporation against which those orders are entered, in duly published and filed rate schedules, supplements, or revised pages or sheets of schedules, and notice shall be sent to the commission that its order in Case No. _____ has been complied with in item _____, page _____, of schedule PSC Mo. No. _____; or supplement to schedule PSC Mo. No. _____; or reissued page or sheet No. _____ to schedule PSC Mo. No. _____.

(27) Schedules and supplements shall be filed in numerical order of PSC numbers. If in any instance this procedure is not observed as required by these rules, a memorandum must accompany the schedule so filed with the commission explaining omission of missing number(s).

(28) Electrical corporations are directed, in filing schedules, to transmit one (1) copy of each rate schedule, supplement, or other charges or regulations for the use of the commission. Schedules sent for filing must be addressed to Public Service Commission, PO Box 360, Jefferson City, MO 65102.

(29) All schedules filed with the commission shall be accompanied by a letter of transmittal, in duplicate if receipt is desired, which shall be prepared consistent with the format designated by the commission.

AUTHORITY: sections 386.250 and 393.140, RSMo 2016. Original rule filed Nov. 7, 2018.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed rule with the Missouri Public Service Commission,

Morris L. Woodruff, Secretary of the Commission, 200 Madison Street, PO Box 360, Jefferson City, MO 65102-0360. To be considered, comments must be received at the commission's offices on or before January 17, 2019, and should include a reference to Commission Case No. EX-2018-0389. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for January 28, 2019 at 10:00 a.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rule, and may be asked to respond to commission questions.

SPECIAL NEEDS: Any persons with special needs, as addressed by the Americans with Disabilities Act, should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 100—Office of Quality Schools**

PROPOSED RESCISSION

5 CSR 20-100.120 Advanced Placement and International Baccalaureate Fee Payment Programs. This rule authorized the Department of Elementary and Secondary Education to receive a grant award through the Federal Advanced Placement Fee Payment Program and to approve requests for the purpose of defraying the cost of Advanced Placement (AP) exam fees and International Baccalaureate (IB) exam fees for low-income students. This rule established the administrative procedures to approve requests for payments to pay a portion of the costs of AP exam fees and IB exam fees for students enrolled in these programs.

PURPOSE: This rule is being rescinded due to the reauthorization of Public Law 114-95, the Federal Advanced Placement Fee Payment Program grant has ended. Missouri public schools are now able to utilize Title I and/or Title IV funds for this expense.

AUTHORITY: section 161.092, RSMo Supp. 2014, and section 178.430, RSMo 2000. This rule previously filed as 5 CSR 50-200.050. Emergency rule filed June 17, 1998, effective June 28, 1998, terminated July 24, 1998. Original rule filed June 17, 1998, effective Dec. 30, 1998. Moved to 5 CSR 20-100.120, effective Aug. 16, 2011. Amended: Filed Feb. 29, 2016, effective Oct. 30, 2016. Rescinded: Filed Nov. 5, 2018.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Elementary and Secondary Education, ATTN: Denise Farinella, Director of Gifted Education, Office of Quality Schools, PO Box 480, Jefferson City, MO 65102-0480 or email Denise.Farinella@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION**

Division 20—Division of Learning Services

Chapter 100—Office of Quality Schools

PROPOSED AMENDMENT

5 CSR 20-100.190 Graduation Requirements for Students in Public High Schools. The State Board of Education is proposing to amend sections (1), (2), and (4), delete section (3), and renumbering as needed.

PURPOSE: The State Board of Education has adopted rules to govern the graduation requirements.

PURPOSE: This rule establishes minimum graduation requirements for public schools [districts].

(1) High School Graduation Requirements. *[Effective for the graduating class of 2010 and thereafter, the state minimum high school graduation requirements comprise twenty-four (24) units of credit that must be earned between grades nine (9) and twelve (12).] Twenty-four (24) units of credit are required for graduation.* The requirements are stated in terms of the number of units of credit that must be earned in each subject area:

Subject Area	Units of Credit
Communication Arts	4.0
Social Studies	3.0
Mathematics	3.0
Science	3.0
Fine Art	1.0
Practical Arts	1.0
Physical Education	1.0
Health Education	.5
Personal Finance	.5[*]
Electives	7.0
Total Credits	24.0

*[*The .5 unit of credit of Personal Financial may be earned in social studies, practical arts or as an elective. If earned in social studies or practical arts, the required units of credit in that area are reduced by .5 (i.e. social studies from 3.0 to 2.5) and the elective total is increased to 7.5.]*

(2) The minimum high school graduation requirements should focus on competencies and align with the Missouri *[Show-Me] Learning Standards [and grade-level expectations]*. The Missouri *[Show-Me] Learning Standards [and grade level expectations]* are located on the Department of Elementary and Secondary Education (DESE) website.

[(3) Course Requirements. In order to earn one standard unit of high school credit, a student must earn a passing grade in that course. A standard unit of credit as defined by a course that meets for seven thousand eight hundred thirty (7,830) minutes during a school year. Half- and quarter-units of credit may be earned for courses meeting proportionately fewer minutes. However, if a student demonstrates mastery of the required competencies of a course, the district may grant credit through an alternative method with prior approval by DESE. Alternative time schedules may be approved if requested by the district.]

[(4)](3) Local Board Policies. Local boards of education must adopt and disseminate written policies concerning graduation. The policies must clearly set forth all requirements and all allowable variations. Local graduation policies must include at least the state minimum

requirements and may exceed the state minimums by requiring more total units of credit, requiring more units within a particular subject, or establishing additional requirements.

[(5)](4) Accommodation of Students with Disabilities: Local school boards must establish policies and guidelines that ensure students with disabilities have the opportunity to earn credits toward graduation in a non-discriminatory environment.

[(6)](5) Variances and Substitutions. The state minimum graduation requirements cannot be applied with absolute uniformity in every case. Students' individual situations sometimes require consideration of variances and alternatives. If a local board chooses to allow these variances and alternatives, it must do so through officially adopted policies and *[through]* procedures that will ensure fair and consistent application of its policies.

AUTHORITY: section 161.092, RSMo [Supp. 2004] 2016. This rule previously filed as 5 CSR 50-345.300. Original rule filed June 30, 2005, effective Jan. 30, 2006. Moved to 5 CSR 20-100.190, effective Aug. 16, 2011. Amended: Filed Nov. 15, 2018.

PUBLIC COST: This proposed amendment is estimated to cost state agencies or political subdivisions less than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, ATTN: School Improvement, Office of Quality Schools, PO Box 480, Jefferson City, MO 65102-0480, or by email to msip@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION**

Division 20—Division of Learning Services

**Chapter 500—Office of Adult Learning and
Rehabilitation Services**

PROPOSED RESCISSION

5 CSR 20-500.110 Standards for Vocational Rehabilitation. This rule consisted of the federal standards which were applicable in Missouri for implementation of the Vocational Rehabilitation Act of 1973.

PURPOSE: The enactment of the Workforce Innovation and Opportunity Act of 2014 and the subsequent update to the Act's corresponding federal regulations in Title 34 CFR Chapter 361 rendered these standards either outdated or obsolete.

AUTHORITY: section 178.430, RSMo 1986. This rule previously filed as 5 CSR 90-2.011. Original rule filed Jan. 28, 1977, effective June 1, 1977. Rescinded and readopted: Filed July 23, 1982, effective Nov. 15, 1982. Amended: Filed Aug. 1, 1988, effective Nov. 25, 1988. Moved to 5 CSR 20-500.110, effective Aug. 16, 2011. Rescinded: Filed Nov. 5, 2018.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Elementary and Secondary Education, ATTN: Tim Gaines, Assistant Commissioner, Office of Adult Learning and Rehabilitation Services, 3024 DuPont Circle, Jefferson City, MO 65109 or email info@vr.dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 10—Director, Department of Mental Health
Chapter 7—Core Rules for Psychiatric and
Substance [Abuse] Use Disorder Treatment Programs**

PROPOSED AMENDMENT

9 CSR 10-7.010 [Treatment] Essential Principles and Outcomes. The department is amending the chapter and rule titles, purpose, and sections (1)–(12), adding new sections (13)–(15), deleting old sections (5), (7), (8), and (10), and renumbering as needed.

PURPOSE: This amendment changes the chapter and rule titles and purpose, updates terminology, and adds state-of-the-art principles and outcomes for behavioral health services.

PURPOSE: This rule describes [treatment] the essential principles and outcomes [in Alcohol and Drug Abuse Treatment Programs,] applicable to Opioid Treatment Programs, Comprehensive Substance Treatment and Rehabilitation Programs (CSTAR), [Compulsive] Gambling Disorder Treatment Programs, Institutional Treatment Centers, Recovery Support Programs, Substance Awareness Traffic Offender Programs (SATOP), Substance Use Disorder Treatment Programs, Required Education Assessment and Community Treatment Programs (REACT), Community Psychiatric Rehabilitation Programs (CPR), and [Psychiatric] Outpatient Mental Health Treatment Programs. The performance indicators listed in this rule are examples of how [a treatment] an essential principle can be [met] measured and do not constitute a list of specific requirements. The indicators include [not only] data that may be compiled by a program [but also circumstances that] as well as areas a surveyor may observe or monitor, [consumer] including satisfaction and feedback [compiled by the department] from individuals served, and other data [that] the department may compile and distribute. A program may also use additional or other means to demonstrate achievement of these principles and outcomes.

(1) Applying the [Treatment] Essential Principles. The organization's service delivery [shall apply the key] practices shall incorporate the essential principles listed in this rule in a manner that [is]:

- (A) Is [A/adapted to the needs of different populations served;
- (B) Is [U/understood and practiced by staff [in] providing services and supports; [and]
- (C) Is [C/consistent with clinical studies and practice guidelines for achieving positive outcomes/.];
- (D) Supports individuals in improving their capacities in all areas of functioning; and
- (E) Assists individuals in achieving their goals for recovery/resiliency and successfully managing their symptoms.

(2) Outcome Domains. Services shall [achieve] be delivered in a manner that promotes positive outcomes in the emotional, behavioral, social, and family functioning of individuals served. Positive outcomes [shall be] for individuals served are expected [to occur]

in the following domains:

(A) Emotional and physical [S/safety for [the individual] themselves and others in his or her environment;

(B) Improved functioning and management of daily activities[.], including [the management of the symptoms associated with a psychiatric and/or substance use disorder and also the reduction of distress related to these symptoms] management of the symptoms associated with a behavioral health disorder;

(C) [Improved functioning related to occupational/educational status, legal situation, social and family relationships, living arrangements, and health and wellness; and] Abstinence from drug and/or alcohol use or decrease in harmful use of substances;

(D) [Consumer s/Satisfaction with services/.];

(E) Increased/sustained employment or return to/remain in school;

(F) Decreased involvement with the justice system;

(G) Increased stability in housing;

(H) Increased family, natural support, and social connections;

(I) Increased parenting capacities;

(J) Increased retention in services for substance use disorders, decreased inpatient hospitalization for mental health treatment, and reduction in out-of-home placement services;

(K) Improved physical health and wellness; and

(L) Increased sense of empowerment in management of their lives in all domains.

(3) [Outcome Measures and Instruments] Measuring Program Effectiveness. An organization shall measure outcomes for the individuals it serves and [shall] collect data related to the domains listed in [section] paragraph (2) of this rule. The data assists the organization in monitoring the quality of its services and determining their impact on the emotional, physical, social, and behavioral health of individuals served. In order to promote consistency and the wider applicability of outcome data, the department may require, at its option, the use of designated outcome measures and instruments for services funded by the department. [The required use of particular measures or instruments shall be applicable only to those services funded by the department or provided through a service network authorized by the department.]

(4) Essential [Treatment] Principle—Therapeutic Alliance.

(A) The organization shall promote [initial attendance,] easy and timely access to services, engagement in services, and development of an ongoing therapeutic alliance by—

- 1. Treating people with respect and dignity;
- 2. Enhancing motivation and self-direction through identification of meaningful goals that establish positive expectations;
- 3. Working with [other sources (such as family, guardian or courts)] family members and other natural supports, parents/guardians, courts, and other support systems to promote the individual's participation in services;
- 4. Addressing barriers to accessing treatment and other support services;
- 5. Providing [consumer and family] education to individuals, family members/natural supports, and parents/guardians to promote understanding of services and supports in relationship to individual functioning or symptoms and to promote understanding of individual responsibilities in the process;
- 6. [Encouraging] Empowering individuals to assume an active role in developing and achieving productive goals and identification of services; [and]
- 7. Delivering services in a manner that is responsive to each individual's [age] developmental needs, cultural background, gender identity, gender expression, language and communication skills, sexual orientation, and other factors[.], as indicated[.]; and
- 8. Recognizing the unique needs and priorities of individuals served as well as the challenges he or she may face in their journey of recovery/resiliency.

(B) Performance *[Indicators. The following are intended as examples of indicators that can be used by the department and the organization to demonstrate achievement of this essential treatment principle. Indicators of a therapeutic alliance can]* indicators may include, but are not limited to[, the following:]—

1. Convenient hours of operation consistent with the needs and schedules of *[persons]* individuals served;
2. Geographic accessibility, including transportation arrangements, as needed;
3. Rate of attendance at scheduled services;
4. Individuals consistently reporting that staff listen to and understand them;
5. Treatment *[dropout]* retention rate;
6. Rate of successfully completing treatment goals and/or the treatment episode; and
7. *[Consumer s]*Satisfaction *[and feedback]* with services as conveyed by individuals served and their family members and other natural supports.

[(5) Essential Treatment Principle—Individualized Treatment.

(A) *Services and supports shall be individualized in accordance with the needs and situation of each individual served.*

(B) Performance Indicators. *The following are intended as examples of indicators that can be used by the department and the organization to demonstrate achievement of this essential treatment principle. Indicators can include, but are not limited to, the following:*

1. *There is variability in the type and amount of services that individuals receive, consistent with their needs, goals and progress;*
2. *There is variability in the length of stay for individuals to successfully complete a level of care or treatment episode, consistent with their severity of need and treatment progress;*
3. *In structured and intensive levels of care, group education/counseling sessions are available to deal with special therapeutic issues applicable to some, but not all, individuals;*
4. *Services on a one-to-one basis between an individual served and a staff member (such as individual counseling and community support) are routinely available and scheduled, as needed; and*
5. *Individuals consistently report that program staffs are helping them to achieve their personal goals.]*

(5) Essential Principle—Person- and Family-Centered Care. Services shall be provided in a manner that addresses each individual's needs, goals, preferences, cultural traditions, family situation, and values.

(A) Individuals served and family members/natural supports of their choice shall be provided with information about the treatment options available in order to make informed decisions about the type and duration of services and providers.

(B) Development and implementation of a treatment plan that assists each individual in achieving his or her personal goals of recovery and resilience is a collaborative process involving the individual, family members/natural supports of his/her choice, and treatment team.

(C) For children and youth, person-centered planning is incorporated into a family-driven, developmentally appropriate, and youth-guided approach that recognizes the importance of family in the lives of children and the impact of services and supports on the entire family.

(D) When the family or natural support system may jeopardize safety (such as domestic violence, child abuse and neglect, separation and divorce, and/or financial and legal difficulties), services shall be available to educate family members/natural sup-

ports about the impact of these issues and strategies to reduce risk factors.

(E) Assistance in finding options for transportation, childcare, and safe and appropriate housing shall be utilized as necessary in order for individuals to participate in services and meet recovery/resiliency goals.

(F) For adults with children, services to enhance their parenting capacities shall be provided or arranged.

(G) Performance indicators may include, but are not limited to:

1. Variability in the type and amount of services an individual receives consistent with his/her needs, goals, and progress;
2. Hospital readmission rates;
3. Rate of family/natural support engagement in direct services (such as family therapy) and continuing care;
4. Number of individuals receiving withdrawal management/detoxification services who continue treatment; and
5. Satisfaction with shared decision-making as conveyed by individuals served and their family members and other natural supports.

(6) Essential *[Treatment]* Principle—Least Restrictive Environment.

(A) *[Services and supports shall be provided in the most appropriate setting available, consistent with the individual's safety, protection from harm, and other designated utilization criteria.]* Individuals shall be served in the most appropriate setting available based on their personal goals for recovery/resiliency and readiness to change, while assuring emotional and physical safety and protection from harm.

(B) Performance *[Indicators. The following are intended as examples of indicators that can be used by the department and the organization to demonstrate achievement of this essential treatment principle. Indicators can]* indicators may include, but are not limited to[, the following:]—

1. Utilization rate of inpatient hospitalization *[and]*, residential *[treatment]* support, and out- of-home placement;
2. Length of stay for inpatient *[and residential treatment]* hospitalization, residential support, and out-of-home services;
3. Consistent use of admission/*[placement]* eligibility criteria;
4. Distribution of individuals served among *[levels of care]* settings;
5. Ongoing assessment of individuals to ensure the appropriate and least restrictive environment; and
- 5.6. *[Consumer s]*Satisfaction *[and feedback]* with services as conveyed by individuals served and their family members or other natural supports.

[(7) Essential Treatment Principle—Array of Services.

(A) *A range of services shall be available to provide service options consistent with individual need. Emotional, mental, physical and spiritual needs shall be addressed whenever applicable.*

1. *The organization has a process that determines appropriate services and ensures access to the level of care appropriate for the individual.*

2. *Each individual shall be provided the least intensive and restrictive set of services, consistent with the individual's needs, progress, and other designated utilization criteria.*

3. *To best ensure each individual's access to a range of services and supports within the community, the organization shall maintain effective working relationships with other community resources. Community resources include, but are not limited to, other organizations expected to make referrals to and receive referrals from the program.*

4. *Assistance in accessing transportation, childcare and safe and appropriate housing shall be utilized as necessary for the individual to participate in treatment and rehabilitation services or otherwise meet recovery goals.*

5. Assistance in accessing employment, vocational and educational resources in the community shall be offered, in accordance with the individual's recovery goals.

(B) Performance Indicators. The following are intended as examples of indicators that can be used by the department and the organization to demonstrate achievement of this essential treatment principle. Indicators can include, but are not limited to, the following:

1. Percentages of individuals who complete inpatient or residential treatment and receive continuing services on an outpatient basis;
2. Readmission rates to inpatient or residential treatment;
3. Number of individuals receiving detoxification who continue treatment;
4. Number of individuals who have progressed from more intensive to less intensive levels of care;
5. Feedback from referral sources and other community resources; and
6. Consumer satisfaction and feedback.

(8) Essential Treatment Principle—Recovery.

(A) Services shall promote the independence, responsibility, and choices of individuals.

1. An individual shall be encouraged to achieve positive social, family and occupational/educational functioning in the community to the fullest extent possible

2. Every effort shall be made to accommodate an individual's schedule, daily activities and responsibilities when arranging services, unless otherwise warranted by factors related to safety or protection from harm.

3. Individuals shall be encouraged to accomplish tasks and goals in an independent manner without undue staff assistance.

(B) Reducing the frequency and severity of symptoms and functional limitations are important for continuing recovery.]

(7) Essential Principle—Promoting Recovery and Resilience. Services and supports shall be delivered in a manner consistent with the concept of recovery as defined by the Substance Abuse and Mental Health Services Administration (SAMHSA) as a process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential. Services are provided that build, enhance, and activate skills for recovery and resilience for individuals, families, and other natural supports.

(A) Staff shall offer support and encouragement and model recovery/resilience from a behavioral health disorder, serious emotional disturbance, and/or substance use disorder in ways that are specific to the needs of each individual served. Services are provided in a safe, welcoming, culturally sensitive, trauma-sensitive, and age-appropriate environment where all individuals are engaged as equal partners.

(B) Individuals are educated about their illness, coping skills, and strategies to prevent a recurrence of symptoms and are encouraged to accomplish tasks and goals in an independent manner without undue staff assistance.

(C) The four dimensions of recovery shall be incorporated into the organization's service delivery practices:

1. Health—overcoming or managing one's disease(s) or symptoms such as:

A. Abstaining or reducing harmful use of alcohol, illicit drugs, and non-prescribed medications;

B. Participating in appropriate health care services to lower the incidence of diabetes, cardiovascular disease, coronary artery disease, HIV, and hepatitis C; and

C. Making informed, healthy choices that support physical and emotional well-being.

2. Home—having a stable and safe place to live;

3. Purpose—conducting meaningful daily activities such as a job, school volunteerism, family caretaking, or creative endeavors, and the independence, income, and resources to participate in society; and

4. Community—having relationships and social networks that provide support, friendship, love, and hope.

[(C)](D) Performance [Indicators. The following are intended as examples of indicators that can be used by the department and the organization to demonstrate achievement of this essential treatment principle.] [Indicators [can] may include, but are not limited to, the following:]—

1. Measures of symptom frequency and severity;

2. Improved functioning related to—

A. [Occupational/educational status] Health, wellness and nutrition;

B. [Legal situation] Personal care (hygiene, grooming, dress);

C. [Social and family relationships] Communication;

D. [Living arrangements] Money management;

E. [Health and wellness] Safety;

F. Occupational/educational status;

G. Legal situation;

H. Social and family/natural support relationships;

I. Housing stability, maintenance;

J. Problem solving, decision making, and coping skills; and

K. Managing time, leisure skills, and productivity;

3. Tapering the intensity and frequency of services, consistent with individual progress; and

4. [Consumer s]Satisfaction [and feedback] with services as conveyed by individuals served and their family members and other natural supports.

[(9)](8) Essential [Treatment] Principle—Peer Support and Social Networks. Individuals served and their parents/legal guardians, family members, and other natural supports shall have access to peer support services, social networks, and resources in the community.

[(A)] The organization shall mobilize peer support and social networks among those individuals it serves.

1. The organization shall encourage participation in self-help groups.

2. Opportunities and resources in the community are used by individuals, to the fullest extent possible.]

(A) Peer support encompasses a range of activities and interactions between people who share similar experiences of being diagnosed with a mental health condition, substance use disorder, or both. Through shared understanding, respect, and mutual empowerment, peer support specialists help people become and stay engaged in the recovery process and reduce the likelihood of a return to substance use. Peer support services can effectively extend the reach of treatment beyond the clinical setting into the everyday environment of individuals seeking a successful, sustained recovery process.

(B) Peer support services shall be provided in a manner that reflect the core competencies, principles, and values identified in the publication, *Core Competencies for Peer Workers in Behavioral Health Services*, December 2017, developed by and available from SAMHSA, 5600 Fishers Lane, Rockville, MD 20857, (877) 726-4727. The referenced document does not include any later revisions or updates.

(C) Certified peer specialists shall be utilized within the organization's service array.

[(B)](D) Performance [Indicators. The following are intended as examples of indicators that can be used by the department and the organization to demonstrate achievement of this essential treatment principle.] [Indicators [can] may include, but are not limited to, the following:]—

1. Rate of participation in community-based [self-help] recovery

support groups;

2. Involvement with a wide range of individuals in social activities and networks (such as church, clubs, and sporting activities[, etc.]);

[3. *Open discussion of therapeutic issues in group counseling and education sessions with individuals giving constructive feedback to one another; and*

3. Number of certified peer specialists employed by the organization and documented delivery of peer support services; and

4. *[Consumer s/Satisfaction [and feedback] with peer support services and accessibility to social networks as conveyed by individuals served and their family members/natural supports.*

[(10) *Essential Treatment Principle—Family Involvement.*

(A) *Efforts shall be made to involve family members, whenever appropriate, in order to promote positive relationships.*

1. *Family ties and supports shall be encouraged in order to enrich and support recovery goals.*

2. *Family members shall be routinely informed of available services, and the program shall demonstrate the ability to effectively engage family members in a recovery process.*

3. *When the family situation has been marked by circumstances that may jeopardize safety (such as domestic violence, child abuse and neglect, separation and divorce, or financial and legal difficulties), family members shall be encouraged to participate in education and counseling sessions to better understand these effects and to reduce the risk of further occurrences.*

(B) *Particular emphasis on family involvement shall be demonstrated by those programs serving adolescents and children.*

(C) *Performance Indicators. The following are intended as examples of indicators that can be used by the department and the organization to demonstrate achievement of this essential treatment principle. Indicators can include, but are not limited to, the following:*

1. *Rate of family participation in treatment planning;*
2. *Rate of family participation in direct services, such as family therapy;*
3. *Improved family relationships;*
4. *Reduction of family conflict; and*
5. *Satisfaction of family members with services.*

[(11) *Pharmacological Treatment. When clinically indicated for the person served, pharmacological treatment shall be provided or arranged to ameliorate psychiatric and substance abuse problems.*]

(9) **Essential Principle—Medication Services.** Individuals shall have access to medications to treat mental illness and substance use disorders, including tobacco use.

(A) The organization shall implement written policies and procedures related to its medication practices.

(B) Individuals shall be educated about available medications, their intended benefits, and potential side effects in order to make informed choices regarding their use. Use of medication is not a requirement for receiving behavioral health services. Individuals shall not be denied their medication(s) because they are not participating in treatment.

(C) Staff of the organization, including contracted prescribers and providers, must be familiar with the full range of FDA-approved medications available for mental illness, substance use disorders, including tobacco use, and shall not be limited to a single model, approach, category, or formulation of medications.

(D) Individuals shall be educated about the importance of taking medication as prescribed and provided with aids such as pill boxes and blister packs, once-a-day long-acting medications, depot injections, and generic or lower-cost alternatives, when

appropriate.

(E) Medication compliance shall be monitored by staff, as indicated by clinical need, to assist individuals in anticipating early warning signs of a recurrence of symptoms and develop strategies to maintain health and wellness.

(F) Routine communication and coordination with other service providers regarding the individual's medical conditions, test results, and prescribed medications occurs as clinically indicated.

(G) Performance indicators may include, but are not limited to—

1. Number of individuals receiving an FDA-approved medication for a diagnosed mental illness and/or substance use disorder, including tobacco use;

2. Variability in the use of FDA-approved medications for mental illness and substance use disorders, including tobacco use;

3. Reduction in rates of recurrence of symptoms among individuals served; and

4. Improvement in treatment retention and completion rates.

[(12)](10) **Essential Principle—Services for Co-Occurring Disorders.** *[For individuals with clearly established co-occurring disorders, coordinated services for these disorders shall be provided or arranged.]* Coordinated, evidence-based services shall be provided or arranged for individuals with a diagnosed co-occurring disorder.

(A) Each individual seeking services shall be screened and assessed for co-occurring disorders and have access to a full range of services provided by qualified, trained staff.

(B) Each individual shall receive services necessary to fully address his/her treatment needs. The program providing screening and assessment shall—

1. Directly provide all necessary services in accordance with the program's capabilities and certification/**deemed status**;

2. Make a referral to a program which can provide all necessary services and maintain appropriate involvement until the individual is admitted to the *[other]* program **which he/she has been referred**; or

3. Provide *[those]* services within its capability and promptly arrange additional services from another program.

(C) Services *[shall be]* **are** continuously coordinated between programs, where applicable. Programs shall**—/ ensure services are not redundant or conflicting and maintain communication regarding the individual's treatment plan and progress.**

1. *Ensure that services are not redundant or conflicting; and*

2. *Maintain communication regarding the individual's treatment plan and progress.]*

(D) Performance indicators may include, but are not limited to—

1. Reduction in hospitalization rates;

2. Reduction in incarceration rates;

3. Reduction in readmissions to withdrawal management/detoxification services;

4. Increased stable housing/independent living arrangements;

5. Increased rates of competitive employment; and

6. Increased access to medical care.

(11) **Essential Principle—Trauma-Informed Care.** Clinical and nonclinical staff shall be competent in recognizing and responding appropriately to the presence of the effects of past and current traumatic experiences in the lives of individuals served.

(A) A trauma-informed organization—

1. Realizes the widespread impact of trauma and understands potential paths for recovery;

2. Recognizes the signs and symptoms of trauma in individuals, families/natural supports, staff, and others involved in the

continuum of care;

3. Responds by fully integrating knowledge about trauma into its policies, procedures, practices, and environments; and

4. Seeks to actively prevent re-traumatization.

(B) Each individual shall receive services necessary to fully address his/her treatment needs. Appropriately trained staff shall screen for each individual's history of trauma and current personal safety in accordance with a model approved by the department. The agency providing the screening shall—

1. Directly provide necessary services to address the impact of trauma in accordance with the program's capabilities and certification;

2. Make a referral to a provider that can offer the necessary trauma services and continue to provide other needed services and maintain appropriate involvement until the individual is admitted to the agency which he/she is being referred; or

3. Provide services within its capability and promptly arrange additional services from another provider.

(C) Services shall be continuously coordinated between providers, as applicable, to ensure services are not redundant or conflicting and to maintain communication regarding the individual's treatment plan and progress.

(D) Individual trauma counseling shall be provided by a licensed mental health professional with specialized training in trauma services and/or equivalent work experience.

(E) Performance indicators may include, but are not limited to—

1. Decrease in trauma and mental health symptoms and substance use;
2. Improvement in daily functioning;
3. Improvement in relationships and self-esteem;
4. Decrease in utilization of crisis-based services; and
5. Improvement in housing stability.

(12) Essential Principle—Easy and Timely Access to Services. Services are easy to find, affordable, and readily available to individuals in the community.

(A) Services are available at convenient times and locations for individuals and their family members/natural supports, with prompt screening and engagement regardless of ability to pay.

(B) Interim services are made available to eligible individuals, when possible, by the organization or through referral to other community resources when immediate admission cannot be provided.

(C) Outreach and educational activities shall be conducted on a regular basis to educate the public about behavioral health issues, prevention strategies, diagnoses, and the availability of services in the community.

(D) Telehealth/telemedicine and other forms of technology are utilized in accordance with federal confidentiality regulations to increase access, engagement, and retention.

(E) Partnerships and affiliations among physical and behavioral health providers, law enforcement, courts, schools/universities, hospitals, family services, and other community resources shall be developed and actively implemented to educate staff, improve communication, and provide for easier access to the range of services and supports needed by the population served.

(F) Individuals shall be informed of available resources for housing, transportation, and childcare to assist them in accessing and engaging in necessary services and supports.

(G) Performance indicators may include, but are not limited to—

1. Same-day access to services;
2. Reduced wait time to set a first or subsequent appointment(s);
3. Increased retention in services; and
4. Satisfaction with accessibility to services as conveyed by individuals served and their family members/natural supports, referral sources, and other community partners.

(13) Essential Principle—Qualified and Competent Workforce. A core workforce (employed or contracted) shall be maintained that is appropriately qualified and determined competent to adequately address the needs of the population served and deliver the behavioral health services the organization is certified/deemed certified to provide.

(A) Staff shall have opportunities to participate in continuing education, training, technical assistance, or other workforce development activities related to evidence-based and best practices, federal, state and/or department initiatives, state-of-the-art technology, and other advances in the behavioral health field to enhance service delivery practices and improve individual outcomes.

(B) Direct service staff shall demonstrate competency in the areas identified by the Centers for Medicare and Medicaid Services, National Direct Service Workforce Resource Center, *Final Competency Set*, December 2014, 7500 Security Blvd., Baltimore, MD 21244, available at <https://www.medicaid.gov/medicaid/ltss/workforce/index.html>. The referenced document does not include any later updates or revisions. Competent staff shall—

1. Communicate in a respectful and clear manner, verbal and written, to build trust and productive relationships with individuals/families, co-workers and others;

2. Use person-centered practices, assist individuals to make choices and plan goals, and provide services to help individuals to achieve their goals;

3. Closely monitor an individual's physical and emotional health, gather information about the individual, and communicate observations to guide services;

4. Identify risks and behaviors that can lead to a crisis, and use effective strategies to prevent or intervene in the crisis in collaboration with others;

5. Be attentive to signs of abuse, neglect, or exploitation and follow procedures to protect an individual from such harm. Help individuals avoid unsafe situations and use appropriate procedures to assure safety during emergency situations;

6. Work in a professional and ethical manner, maintaining confidentiality and respecting individual and family rights;

7. Provide advocacy and empower and assist individuals to advocate for what they need;

8. Help individuals to achieve and maintain good physical and emotional health essential to their well-being;

9. Help individuals to manage the personal, financial, and household tasks that are necessary on a day-to-day basis to pursue an independent, community-based lifestyle;

10. Help individuals to be a part of the community through valued roles and relationships, and assist individuals with major transitions that occur in community life;

11. Respect cultural differences and provide services and supports that fit with an individual's preferences; and

12. Obtain and maintain necessary professional credential(s) and seek opportunities to improve their skills and work practices through further education, training, and self-development.

(C) Staff shall provide services within the scope of their respective state credential(s) and in accordance with all applicable federal, state, or local laws and other regulations.

(D) Performance indicators may include, but are not limited to—

1. A qualified and diverse workforce acclimated to the community culture;
2. Delivery of culturally appropriate services and supports;
3. Documented delivery of a broad range of individual and group services including specialized services for co-occurring disorders and trauma;
4. Satisfaction with services and supports as conveyed by individuals, family members/natural supports, referral sources, and other community stakeholders.

(14) **Essential Principle—Employment.** All individuals served who have a desire to work shall have access to appropriate resources to assist them in overcoming or addressing symptoms that interfere with seeking, obtaining, and maintaining a job.

(A) Evidence-based and best practices shall be implemented to promote recovery/resiliency and assist individuals in obtaining and maintaining integrated, competitive, and meaningful employment of their choice.

(B) Staff shall work collaboratively with individuals and their family members/natural supports, parents/guardians, or other caregivers to include educational, vocational, and/or employment goals on the individual treatment plan and provide appropriate support to assist the individual in achieving those goals.

(C) Performance indicators may include, but are not limited to—

1. Individuals served obtain and maintain a job of their choice;
2. Documented delivery of services that assist individuals with job-seeking skills and symptom-management on the job;
3. Effective working relationships with employment, vocational, and educational resources in the community; and
4. Satisfaction with employment, vocational, and education-related services and supports as conveyed by individuals, family members/natural supports.

(15) **Essential Principle—Care Planning and Care Coordination.** Services shall be coordinated to promote accurate diagnosis and treatment, improve the individual experience of care, enhance health and wellness outcomes, and increase efficiency across healthcare delivery systems.

(A) Service delivery staff shall engage in care-planning and coordination activities identified by SAMHSA's Health Resources and Services Administration, Center for Integrated Health Solutions, 1400 K Street NW, Suite 400, Washington, D.C. 20005, (202) 684-7457, including, but not limited to:

1. Developing integrated treatment plans with the individual and family members/natural supports, parents/guardians, caregivers of his/her choice, and members of the service delivery team;
2. Monitoring each individual's participation in and response to treatment on a regular basis in order to match and adjust the type and intensity of services to the individual's needs and ensure the timely and unduplicated provision of care;
3. Utilizing the treatment plan to link multiple services, healthcare providers, and community resources to meet the individual's needs;
4. Ensuring the flow and timely exchange of information among the individual, family members/natural supports, parents/guardians, caregivers and linked providers;
5. Working collaboratively to resolve differing perspectives, priorities, and schedules among providers;
6. Providing or arranging access to services that focus on benefits and financial counseling, transportation, home care, social services, peer support, and medication for substance use disorders;
7. Implementing disease management strategies for selected health conditions (such as asthma, diabetes, COPD, cardiovascular disease and hypertension, obesity, tobacco use), combining the use of engagement tools, health risk assessments, cognitive and behavioral interventions, medications, web-based tools, protocols and guidelines, formularies, monitoring devices, shared decision-making aids, illness and whole health self-management strategies, peer support and empowerment approaches; and
8. Effectively connecting individuals who cannot be adequately served by the treatment team or within the setting to other appropriate services.

(B) Care planning and care coordination involves active partnerships with community resources to ensure access and seamless transition to other services and supports for individuals and fam-

ilies/natural supports served. Community resources include, but are not limited to, local primary care providers, hospital systems, health homes, schools, and vocational rehabilitation and employment entities.

(C) When an individual misses an appointment or drops out of services, steps shall be taken to reengage him or her in services by making reminder calls, addressing basic needs that may be preventing them from participating, and offering peer support.

(D) Performance indicators may include, but are not limited to—

1. Reduction in emergency room visits;
2. Reduction in hospitalizations;
3. Reduction in costs and duplication of services;
4. Documented delivery of services related to recovery planning, health and wellness;
5. Satisfaction with services as conveyed by individuals, family members/natural supports.

AUTHORITY: sections 630.050 and 630.055, RSMo [2000] 2016. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed Nov. 5, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the Missouri Register. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH

Division 10—Director, Department of Mental Health

Chapter 7—Core Rules for Psychiatric and Substance [Abuse] Use Disorder Treatment Programs

PROPOSED AMENDMENT

9 CSR 10-7.020 Rights, Responsibilities, and Grievances. The department is amending the chapter title, purpose, and sections (1)–(8), and deleting old section (9).

PURPOSE: This amendment changes the chapter title and purpose, updates terminology, and expands the orientation requirements for individuals being served.

PURPOSE: This rule describes [the rights of individuals being served] individual rights, the orientation process, and grievance procedures [in Alcohol And Drug Abuse Treatment Programs,] applicable to Comprehensive Substance Treatment and Rehabilitation Programs (CSTAR), [Compulsive] Gambling Disorder Treatment Programs, Institutional Treatment Centers, Opioid Treatment Programs, Recovery Support Programs, Substance [Abuse] Awareness Traffic Offender Programs (SATOP), Required Education Assessment and Community Treatment Programs (REACT), Substance Use Disorder Treatment Programs, Community Psychiatric Rehabilitation Programs (CPR), and [Psychiatric] Outpatient Mental Health Treatment Programs.

(1) General Policy and Practice. The organization *[shall]* demonstrate through its policies, procedures, and practices an ongoing commitment to the rights, dignity, and respect of the individuals it serves. In addition to the requirements of this rule, the organization must also comply with 9 CSR 10-5.200 *[regarding protection from abuse and neglect and investigations of any such allegations]*, **Procedures for Reporting Complaints of Abuse, Neglect, and Misuse of Funds/Property.**

(2) Information and Orientation. *[Immediately upon admission, each individual shall be informed and oriented as to what will happen as care and treatment are provided.]* Each individual served shall receive an orientation about what to expect while receiving services and his or her role in treatment. The orientation is provided in a timely manner based on the individual's presenting condition and type of services he or she will receive. The orientation must be understandable to the person served and available in written form. Written acknowledgement of receipt of the orientation must be documented.

(A) An individual who is admitted to a program on a voluntary basis *[shall be]* is expected to give written, informed consent to care and treatment.

[(B) The orientation given to each individual shall address service costs, availability of crisis assistance, rights, responsibilities, and grievance procedures.

1. Information regarding responsibilities shall include applicable program rules, participation requirements or other expectations.

2. Information regarding grievance procedures shall include how to file a grievance, time frames, rights of appeal, and notification of outcome.

3. Each client shall be given the name, address and phone number of the department's client rights monitor and informed that the monitor may be contacted regarding a complaint of abuse, neglect or violation of rights.]

(B) As applicable to the individual, the orientation shall include, but is not limited to, an explanation of—

1. Program rules and participation requirements, rights, responsibilities, and behavioral expectations;

2. Available services and supports, including crisis assistance;

3. Complaint and appeal procedures;

4. Ways in which input can be given;

5. The organization's confidentiality policies;

6. Continuing recovery planning;

7. Discharge criteria and procedures;

8. Access to after-hour services;

9. Reporting requirements for individuals mandated to participate in services;

10. Financial obligations, fees, and financial arrangements for services provided by the organization;

11. Health and safety policies including, but not limited to, the use of emergency safety interventions, use of tobacco products, illegal or legal substances brought into the program, prescription medication brought into the program, and weapons brought into the program;

12. Layout of the premises including emergency exits and/or shelters;

13. Education regarding advance directives when indicated;

14. The assessment process and the individual's role in developing his/her treatment plan and personal goals for recovery/resiliency, the course of services, expectations for legally required appointments, sanctions, or court notifications; and

15. Composition of the treatment team.

[(C) The orientation information shall be provided in written form using simple, straightforward language understandable to the individual and explained by staff as necessary]

(C) Each individual shall be informed of the process to make an inquiry, file a complaint, or report a violation of his/her rights

to the department. Written information regarding these processes is readily accessible to individuals at all times and reasonable assistance from staff is available, if necessary.

(D) When appropriate, *[families receive]* family members and other natural supports, parents/guardians, or other caregivers are provided with information to promote their participation in relevant services or decisions about the care and treatment of the individual being served.

(3) Rights Which Cannot Be Limited. Each individual has basic rights to humane care and treatment that cannot be limited under any circumstances.

(A) The following rights apply to all settings:

1. To receive prompt evaluation, care and treatment;

2. To receive *[these]* services in the least restrictive environment;

3. To receive *[these]* services in a clean and safe setting;

4. *[To not be denied admission or services because of race, gender, sexual preference, creed, marital status, national origin, disability or age;]* To receive services without discrimination based on race, ethnicity, gender, gender identity, gender expression, sexual orientation, creed, marital status, national origin, disability, or age;

5. To confidentiality of information and records in accordance with federal and state law and regulation;

6. To be treated with dignity and be addressed in a respectful, age appropriate manner;

7. To be free from verbal, sexual, and physical abuse, neglect, corporal punishment, and other mistreatment such as humiliation, threats, or exploitation;

8. To be the subject of an experiment or research only with one's informed, written consent, or the consent of an individual legally authorized to act, and to decide to withdraw at any time;

9. To medical care and treatment in accordance with accepted standards of medical practice, if the certified *[substance abuse or psychiatric program]* organization offers medical care and treatment; and

10. To consult with a private, licensed practitioner at one's own expense.

(B) The following additional rights apply to *[residential settings]* individuals receiving residential support, and where otherwise applicable *[and]*, shall not be limited under any circumstances:

1. To a nourishing, well-balanced, varied diet;

2. To attend or not attend religious services;

3. To communicate by sealed mail or otherwise with the department and, if applicable, legal counsel and court of jurisdiction;

4. To receive visits from one's attorney, physician, or clergy in private at reasonable times; and

5. To be paid for work unrelated to treatment, except *[that]* an individual may be expected to perform limited tasks and chores within the program that are designed to promote personal involvement and responsibility, skill-building, or peer support. Any tasks and chores beyond routine care and cleaning of activity or bedroom areas within the program must be directly related to recovery and treatment plan goals developed with the individual.

A. An individual receiving services may perform labor that contributes to the operations and maintenance of a facility/program, which would otherwise require the organization to employ staff, as long as the individual is compensated at a rate derived from the value of the work performed and in accordance with applicable federal and state minimum wage laws.

(4) Rights Subject to Limitation. Each individual shall have further rights and privileges which can be limited only if the program director or designee determines it is necessary to ensure personal safety or the safety of others.

(A) Any limitation due to safety considerations shall occur only if it is—

1. Applied on an individual basis;

2. Authorized by the organization's director or designee;
3. Documented in the individual's record;
4. Justified by sufficient documentation;
5. Reviewed on a regular basis *[at the time of each individualized treatment plan review]*; and
6. Rescinded at the earliest clinically appropriate *[moment]* time.

(B) In all care and treatment settings, each individual *[shall have]* has the right to see and review *[one's own]* his/her record, except *[that]* specific information the program director determines would be detrimental to the individual or records provided by other individuals or agencies may be excluded from such review. **Any restrictions must be documented and include specific rationale for the decision.** The organization may require a staff member to be present whenever an individual accesses the record.

(C) The following additional rights and privileges apply to individuals *[in]* receiving residential *[settings,]* support and where otherwise applicable:

1. To wear one's own clothes and keep and use one's own personal possessions;
2. To keep and be allowed to spend a reasonable amount of one's own funds;
3. To have reasonable access to a telephone to make and to receive confidential calls;
4. To have reasonable access to current newspapers, magazines, and radio and television programming;
5. To be free from seclusion and restraint;
6. To have opportunities for physical exercise and outdoor recreation;
7. To receive visitors of one's choosing at reasonable hours; and
8. To communicate by sealed mail with individuals outside the facility.

(5) Other Legal Rights. *[The organization shall ensure that a]* All individuals have the same legal rights and responsibilities as any other citizen, unless otherwise limited by law.

(A) In accordance with section 208.009, RSMo, individuals presenting for services who are not legal residents of the United States cannot receive any Missouri state benefit unless his/her lawful presence in the United States is verified by the federal government.

(B) Organizations shall not knowingly provide nonemergency services to individuals who are eighteen (18) years of age or older and whose presence in the United States is unlawful.

(C) Individuals seeking nonemergency state or local public benefits shall provide affirmative proof they are a citizen or permanent resident of Missouri and the United States or are lawfully present in the United States. Affirmative proof is considered to be at least one of the following:

1. Documentary evidence recognized by the Missouri Department of Revenue when processing an application for a driver's license;
2. A Missouri driver's license;
3. MO HealthNet identification card; or
4. Any document issued by the federal government that confirms an alien's lawful presence in the United States.

(6) Access to Services. The organization shall have written policies and procedures regarding the provision of services for individuals who fall under the protection of the Americans with Disabilities Act of 1990.

(A) An individual shall not be denied admission or services solely on the grounds of prior treatment, withdrawal from treatment against advice, or continuation or return of symptoms after prior treatment.

(7) Grievances. The organization shall establish policies, procedures, and practices to ensure all individuals receive a prompt, responsive, impartial review of any grievance or alleged violation of rights.

(A) Reasonable assistance from staff shall be *[given]* provided to

an individual wishing to file a grievance.

(B) The review shall be consistent with principles of due process.

(C) The organization shall cooperate with the department in any review or investigation conducted by the department or its authorized representative.

[(8) Practices to Promote Safety and Well-Being. The organization shall demonstrate a commitment to the safety and well-being of the individuals it serves. The organization's policies, procedures and practices shall—

(A) Promote therapeutic progress by addressing matters such as medication compliance, missed appointments, use of alcohol and drugs, and other program expectations or rules;

(B) Encourage appropriate behavior by providing positive instruction and guidance; and

(C) Ensure safety by effectively responding to any threats of suicide, violence or harm. Any use of seclusion or restraint shall be in accordance with 9 CSR 10-7.060 Behavior Management.

(9) All certified agencies, upon learning of the death of a client receiving services, must report the death to the Department of Mental Health (DMH) within twenty-four (24) hours. DMH report form 9719 shall be completed and faxed to the appropriate division director.]

(8) Records of Events and Reporting Requirements. All organizations must maintain records of events and comply with reporting requirements as specified in 9 CSR 10-5.200 and 9 CSR 10-5.206.

AUTHORITY: sections 630.050 and 630.055, RSMo [2000] 2016. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed Dec. 12, 2001, effective June 30, 2002. Amended: Filed July 29, 2002, effective March 30, 2003. Amended: Filed Nov. 5, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the Missouri Register. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH

Division 10—Director, Department of Mental Health

Chapter 7—Core Rules for Psychiatric and Substance [Abuse] Use Disorder Treatment Programs

PROPOSED AMENDMENT

9 CSR 10-7.030 Service Delivery Process and Documentation. The department is amending the chapter title and purpose, adding new sections (1)–(14), and deleting old sections (1)–(12).

PURPOSE: This amendment changes the chapter title and purpose, updates terminology, and revises the service delivery process and documentation requirements for certified and deemed programs.

PURPOSE: This rule describes requirements for the delivery and documentation of services in [Alcohol and Drug Abuse Treatment Programs,] Opioid Treatment Programs, Substance Use Disorder Treatment Programs, Comprehensive Substance Treatment and Rehabilitation Programs (CSTAR), [Compulsive] Gambling Disorder Treatment Programs, Institutional Treatment Centers, Community Psychiatric Rehabilitation Programs (CPRP), and [Psychiatric] Outpatient Mental Health Treatment Programs.

[(1) Screening. Each individual requesting services shall have prompt access to a screening in order to determine eligibility and to plan an initial course of action, including referral to other services and resources, as needed.

(A) At the individual's first contact with the organization (whether by telephone or face-to-face contact), any emergency or urgent service needs shall be identified and addressed.

1. Emergency service needs are indicated when a person presents a likelihood of immediate harm to self or others. A person who presents at the program site with emergency service needs shall be seen by a qualified staff member within fifteen (15) minutes of presentation. If emergency service needs are reported by telephone, the program shall initiate face-to-face contact within one (1) hour of telephone contact or shall immediately notify local emergency personnel capable of promptly responding to the report.

2. Urgent service needs are indicated when a person presents a significant impairment in the ability to care for self but does not pose a likelihood of immediate harm to self or others. A person with urgent service needs shall be seen within forty-eight (48) hours, or the program shall provide information about treatment alternatives or community supports where available.

3. Routine service needs are indicated when a person requests services or follow-up but otherwise presents no significant impairment in the ability to care for self and no apparent harm to self or others. A person with routine service needs should be seen as soon as possible to the extent that resources are available.

(B) The screening shall include basic information about the individual's presenting situation and symptoms, presence of factors related to harm or safety, and demographic and other identifying data.

(C) The screening—

1. Shall be conducted by trained staff;
2. Shall be responsive to the individual's requests and needs; and
3. Shall include notice to the individual regarding service eligibility and an initial course of action. If indicated, the individual shall be linked to other appropriate services and resources in the community.

(2) **Assessment and Individualized Treatment Plan.** Each individual shall participate in an assessment that more fully identifies their needs and goals and develops an individualized plan. The participation of family and other collateral parties (e.g., referral source, employer, school, other community agencies) in assessment and individualized plan development shall be encouraged, as appropriate to the age, guardianship, services provided or wishes of the individual.

(A) The assessment shall assist in ensuring an appropriate level of care, identifying necessary services, and developing an individualized treatment plan. The assessment data shall subsequently be used in determining progress and outcomes. Documentation of the screening and assessment must include, but is not limited to, the following:

1. Demographic and identifying information;
2. Statement of needs, goals and treatment expectations from the individual requesting services. The family's

perceptions are also obtained, when appropriate and available;

3. Presenting situation/problem and referral source;
4. History of previous psychiatric and/or substance abuse treatment including number and type of admissions;
5. Health screening;
6. Current medications and identification of any medication allergies and adverse reactions
7. Recent alcohol and drug use for at least the past thirty (30) days and, when indicated, a substance use history that includes duration, patterns, and consequences of use;
8. Current psychiatric symptoms;
9. Family, social, legal, and vocational/educational status and functioning. The collection and assessment of historical data is also required, unless short-term crisis intervention or detoxification is the only services being provided;
10. Current use of resources and services from other community agencies;
11. Personal and social resources and strengths, including the availability and use of family, social, peer and other natural supports; and
12. Multi-axis diagnosis or diagnostic impression in accordance with the current edition of the Diagnostic and Statistical Manual of the American Psychiatric Association.

(B) Recommendations for specialized services may require more extensive diagnostic testing.

(C) Each person shall directly participate in developing his/her individualized treatment plan including, but not limited to, signing the treatment plan.

(D) The individualized treatment plan shall reflect the person's unique needs and goals. The plan shall include, but is not limited to, the following:

1. Measurable goals and outcomes;
2. Services, supports and actions to accomplish each goal/outcome. This includes services and supports and the staff member responsible, as well as action steps of the individual and other supports (family, social, peer, and other natural supports);
3. Involvement of family, when indicated;
4. Service needs beyond the scope of the organization or program that are being addressed by referral or services at another community organization, where applicable;
5. Projected time frame for the completion of each goal/outcome; and
6. Estimated completion/discharge date for the level of care.

(3) **Ongoing Service Delivery.** The individualized treatment plan shall guide ongoing service delivery. However, services may begin before the assessment is completed and the plan is fully developed.

(A) Services shall be provided in accordance with applicable eligibility and utilization criteria. Criteria specified in program rules shall be incorporated into the treatment process, applied to each individual, and used to guide the intensity, duration, and type of services provided. Decisions regarding the level of care and the treatment setting shall be based on—

1. Personal safety and protection from harm;
2. Severity of the psychiatric or substance abuse problem;
3. Emotional and behavioral functioning and need for structure;
4. Social, family and community functioning;
5. Readiness and social supports for recovery;
6. Ability to avoid high risk behaviors; and
7. Ability to cooperate with and benefit from the services offered.

(B) Services shall be appropriate to the individual's age

and development and shall be responsive to the individual's social/cultural situation and any linguistic/communication needs.

(C) There is a designated staff member who coordinates services and ensures implementation of the plan. Coordination of care shall also be demonstrated when services and supports are being provided by multiple agencies or programs.

(D) To the fullest extent possible, individuals shall be responsible for action steps to achieve their goals. Services and supports provided by staff shall be readily available to encourage and assist the individuals in their recovery.

(E) Services and supports shall be provided by staff with appropriate licenses or credentials.

(4) *Crisis Assistance and Intervention.* During the course of service delivery, ready access to crisis assistance and intervention is available, when needed. The organization shall provide or arrange crisis assistance twenty-four (24) hours per day, seven (7) days per week which is provided by qualified staff in accordance with any applicable program rules and includes face-to-face intervention, when clinically indicated.

(5) *Missed Appointments.* Agencies shall establish policies and procedures, consistent with needs and requirements of clients, to contact persons who fail to appear at a scheduled program activity.

(A) Such efforts should be initiated within forty-eight (48) hours, unless circumstances indicate a more immediate contact should be made due to the person's symptoms and functioning or the nature of the scheduled service.

(B) Efforts to contact the person shall be documented in the individual's record.

(6) *Reviewing Treatment Goals and Outcomes.* Progress toward treatment goals and outcomes shall be reviewed on a periodic basis.

(A) Each person shall directly participate in the review of their individualized treatment plan

(B) The frequency of treatment plan reviews shall be based on the individual's level of care or other applicable program rules. The occurrence of a crisis or significant clinical event may require a further review and modification of the treatment plan.

(C) The individualized treatment plan shall be updated and changed as indicated.

(7) *Effective Practices.* Service delivery shall be consistent with the current state of knowledge and generally accepted practices in the following areas:

(A) Support of personal recovery process which addresses clinical issues such as overcoming denial, recognizing feelings and behavior, encouraging personal responsibility, and constructively using leisure time;

(B) Provision of information and education about the person's disorder(s), principles and availability of self-help groups, and health and nutrition;

(C) Skill development which addresses clinical issues such as communication, stress reduction and management, conflict resolution, decision making, assertiveness and parenting;

(D) Promotion of positive family relationships; and

(E) Relapse prevention.

(8) *Clinical Utilization Review.* Services may be subject to clinical utilization review when funded by the department or provided through a service network authorized by the department. Clinical utilization review shall promote the

delivery of services that are necessary, appropriate, likely to benefit the individual and provided in accordance with admission criteria and service definitions.

(A) The department shall have authority in all matters subject to clinical utilization review including client eligibility and service definition, authorization and limitations.

(B) Clinical utilization review may be required of any individual's situation and needs prior to initial or continued service authorization.

(C) Clinical utilization review shall include, but is not limited to, unusual patterns of service or utilization for individual clients based on periodic data analysis and norms compiled by the department.

(D) Clinical utilization review may include, but is not limited to, the following situations regarding a program:

1. Unusual patterns of service or utilization, based on periodic data analysis and norms compiled by the department regarding the use of particular services and total service cost; and

2. Compliance issues related to certification standards or contract requirements that can reasonably be monitored through clinical utilization review.

(E) Staff who conduct clinical utilization review shall be credentialed with relevant professional experience.

(9) *Discharge Summary and Aftercare Plan.* Each individual shall be actively involved in planning for discharge and aftercare. The participation of family and other collateral parties (e.g., referral source, employer, school, other community agencies) in such planning shall be encouraged, as appropriate to the age, guardianship, service provided or wishes of the individual.

(A) A written discharge summary and, where applicable, an aftercare plan shall be prepared upon—

1. Transferring to a different provider;

2. Successfully completing treatment; or

3. Discontinuing further participation in services.

(B) A discharge summary shall include, but is not limited to, the following:

1. Dates of admission and discharge;

2. Reason for admission and referral source;

3. Diagnosis or diagnostic impression;

4. Description of services provided and outcomes achieved, including any prescribed medication, dosage, and response;

5. Reason for or type of discharge;

6. Medical status and needs that may require ongoing monitoring and support; and

(C) An aftercare plan shall be completed prior to discharge. The plan shall identify services, designated provider(s), or other planned activities designed to promote further recovery.

(D) The organization shall consistently implement criteria regarding discharge or successful completion; termination or removal from the program; and readmission following discharge or termination.

(10) *Designated or Required Instruments.* In order to promote consistency in clinical practice, eligibility determination, service documentation, and outcome measurement, the department may require the use of designated instruments in the screening, assessment and treatment process. The required use of particular instruments shall be applicable only to those services funded by the department or provided through a service network authorized by the department.

(11) *Organized Record System.* The organization has an organized record system for each individual.

(A) Records shall be maintained in a manner which

ensures confidentiality and security.

1. *The organization shall abide by all local, state and federal laws and regulations concerning the confidentiality of records.*

2. *If records are maintained on computer systems, there must be a backup system to safeguard records in the event of operator or equipment failure and to ensure security from inadvertent or unauthorized access.*

3. *The organization shall retain individual records for at least five (5) years or until all litigation, adverse audit findings, or both, are resolved.*

4. *The organization shall assure ready access to the records by authorized staff and other authorized parties including department staff.*

(B) *All entries in the individual record shall be legible, clear, complete, accurate, and recorded in a timely fashion. Entries shall be dated and authenticated by the staff member providing the service, including name and title. Any errors shall be marked through with a single line, initialed and dated.*

(C) *There shall be documentation of services provided and results accomplished. Documentation shall be made with indelible ink or print.*

(D) *The documentation of services funded by the department or provided through a service network authorized by the department shall include the following:*

1. *Description of the specific service provided;*
2. *The date and actual time (beginning and ending times) the service was rendered;*
3. *Name and title of the person who rendered the service;*
4. *The setting in which the service was rendered;*
5. *The relationship of the services individual treatment plan; and*
6. *Description of the individual's response to services provided.*

(E) *The record of each person served shall include documentation of screening, consent to treatment, orientation, assessment, diagnostic interview, individualized treatment plan and reviews, service delivery and progress reports, and discharge summary with plans for continuing recovery. Where applicable, the record shall also include documentation of referrals to other services or community resources and the outcome of these referrals, signed authorization to release confidential information, missed appointments and efforts to reengage the individual, urine drug screening or other toxicology reports, and crisis or other significant clinical events.*

(12) *Service System Reporting. For those services funded by the department or provided through a service network authorized by the department, the organization shall provide information to the department which includes, but is not limited to, admission and demographic data, services provided, costs, outcomes, and discharge or transfer information.*

(A) *The organization shall maintain equipment and capabilities necessary for this purpose.*

(B) *The organization shall submit information in a timely manner. Information regarding discharge or transfer shall be submitted within the following time frames:*

1. *Within fifteen (15) days of discharge or transfer from residential or inpatient status;*
2. *Within thirty (30) days of completing outpatient treatment in a planned manner; and*
3. *Within one hundred eighty (180) days of the date of last outpatient service delivery if the individual discontinues services in an unplanned manner.]*

(1) **Screening.** The organization shall implement written policies and procedures to ensure individuals seeking assistance via tele-

phone, face-to-face contact, or by referral have prompt access to a screening to determine the need for further clinical assessment. The screening process is welcoming, conducted in a safe, culturally, and linguistically appropriate manner, and conveys a hopeful message to individuals and their families/natural supports.

(A) At the individual's first contact with the organization (whether by telephone or face-to-face) emergency, urgent, or routine service needs shall be identified and addressed as follows:

1. Emergency service needs are indicated when a person presents a likelihood of immediate harm to self or others. Qualified staff must address emergency needs immediately.

2. An urgent need is one that, if not addressed immediately, could result in the individual becoming a danger to self or others, or could cause a health risk. Appropriately qualified staff shall address urgent service needs within twenty-four (24) hours of the time the request was made.

3. Routine service needs are indicated when a person requests services or follow-up, but otherwise presents no significant impairment in the ability to care for self and no apparent harm to self or others. Routine service needs shall be addressed within ten (10) days.

(B) Documentation of the screening shall include, but is not limited to—

1. A brief interview with the individual or referral source to obtain basic information and presenting situation and symptoms;
2. Collection of basic demographic information;
3. Identification of requested service needs;
4. Determination of the organization's ability to provide the requested services; and
5. Referral and coordination with alternate resources when the individual's service needs cannot be met by the screening agency.

(C) The organization's quality assurance processes shall ensure trained staff uniformly administer its designated screening instrument(s). Each screening shall be signed and documented by staff.

(2) **Admission Assessment.** The organization shall implement written policies and procedures to ensure all individuals participate in an admission assessment to determine service needs. Programs should only admit individuals who will benefit from available services. Comprehensive Substance Treatment and Rehabilitation (CSTAR) programs must comply with assessment requirements specified in 9 CSR 30-3.100 and fulfill department contract requirements. Community Psychiatric Rehabilitation (CPR) programs must comply with assessment requirements specified in 9 CSR 30-4.035 and fulfill contract requirements.

(A) Documentation of the admission assessment shall include, but is not limited to—

1. Personal and identifying information;
2. Presenting problem and referral source;
3. Status as a current or former member of the U.S. Armed Forces;
4. Brief history of previous substance use and/or psychiatric treatment including type of admission(s);
5. Family history of substance use disorders and/or mental illness;
6. History of trauma, current trauma-related symptoms, and/or concerns for personal safety;
7. Current medications and any known allergies or allergic reactions;
8. Current substance use including utilization of a standardized and validated alcohol and substance-use screening instrument;
9. Current mental health symptoms including utilization of standardized and validated depression and suicide screening instruments;
10. Physical health concerns including a health screening, previously identified medical diagnoses, and identification of

unmet needs with specific recommendations for further evaluation, treatment, and referral;

11. Diagnosis by a licensed diagnostician, including substance use and mental health;

12. Family, social, legal, and vocational/educational status and functioning;

13. Statement of needs, goals, preferences, and treatment expectations; and

14. Signature, title, and credential(s) of staff completing the assessment.

(B) The admission assessment shall be completed within seventy-two (72) hours for individuals receiving residential support or within the first three (3) outpatient visits.

(3) **Crisis Prevention Plan.** If a potential risk for suicide, violence, or other at-risk behavior is identified during the assessment process or any time during the individual's engagement in services, a crisis prevention plan shall be developed with the individual as soon as possible.

(A) At a minimum, the crisis prevention plan shall include factors that may precipitate a crisis, and skills and strengths identified by the individual to regain a sense of control and return to his/her level of functioning before the crisis or emergency.

(B) Staff shall conduct a monthly case review of all critical interventions that occurred during the previous month and incorporate the results into the organization's performance improvement processes.

(4) **Individual Treatment Plan.** Each individual and/or their parent or guardian shall participate in the development of a treatment plan using information from the assessment process. The individual and/or parent/guardian shall receive a copy of the plan.

(A) The treatment plan shall include, but is not limited to—

1. Identifying information;

2. Objectives that—

A. Are reflective of the individual's culture and ethnicity;

B. Are linked to the individual's assessed needs and goals;

C. Are achievable, measurable, time specific, strengths- and skills-based;

D. Identify supports and resources needed to meet objectives; and

E. Are understandable, developmentally appropriate, and responsive to the disability/disorder or concerns of the individual.

3. Duration and frequency of interventions, staff responsible for intervention, and action steps of the individual and his/her parents/guardians, family or other natural supports;

4. Other community resources and/or peer and recovery supports necessary; and

5. Signature, title, and credential(s) of the service provider(s) completing the plan and signature of the individual and/or parents/legal guardians, as applicable. For situations when the individual does not sign the treatment plan, such as refusal, a brief explanation must be documented.

(B) Treatment plans shall be approved by a licensed mental health professional.

(5) **Treatment Plan Updates.** Progress toward treatment goals and objectives shall be reviewed and updated on a periodic basis with active involvement of the individual served, parent/guardian, and family members/natural supports as applicable and appropriate.

(A) At a minimum, treatment plans shall be reviewed every ninety (90) days. The occurrence of a crisis or significant clinical event may require further review and modification of the treatment plan.

(6) **Ongoing Service Delivery.** The individual treatment plan

guides ongoing service delivery. Services may begin before the assessment is completed and the treatment plan is fully developed.

(A) Staff with appropriate training, licenses, and credentials shall provide identified services and supports.

(B) Services shall be provided in accordance with applicable eligibility criteria. Decisions regarding the treatment setting, intensity, and duration of services are based on the needs of the individual including, but not limited to:

1. Need for personal safety and protection from harm;

2. Severity of the behavioral health disorder;

3. Emotional and behavioral functioning and need for structure;

4. Social, family, and community functioning;

5. Readiness to change;

6. Availability of peer and social supports for recovery/resiliency;

7. Ability to avoid high risk behaviors; and

8. Ability to cooperate with and benefit from the services offered.

(C) Services shall be developmentally appropriate and responsive to the individual's social/cultural situation and any linguistic/communication needs.

(D) Coordination of care is demonstrated when services and supports are being provided by multiple agencies or programs.

(E) To the fullest extent possible, individuals are responsible for action steps to achieve their goals. Services and supports provided by staff should be readily available to help individuals achieve their goals and objectives.

(7) **Missed Appointments.** Organizations shall implement written policies and procedures to contact individuals who miss a scheduled program activity or appointment consistent with their service needs.

(A) Such efforts shall be initiated within forty-eight (48) hours unless circumstances indicate an immediate contact should be made due to the individual's symptoms and functioning or the nature of the scheduled service.

(B) Efforts to contact the individual shall be documented.

(8) **Continuing Recovery Plan.** The organization shall implement written policies and procedures for developing continuing recovery plans and discharge plans for individuals served.

(A) Continuing recovery planning begins at admission or as soon as clinically appropriate.

1. Individuals are actively involved in the development of their continuing recovery plan. Family members/natural supports, program staff, referral source(s), and staff or peers involved in follow-up services and supports in the community are included when applicable and permitted.

2. The plan shall be signed by the staff person who completes it. The individual served and/or parents/legal guardians, family members, or other natural supports shall receive a copy of the plan as appropriate.

3. The plan identifies services and supports, designated provider(s), and other planned activities designed to promote further recovery/resiliency. The plan shall include, but is not limited to—

A. Date of next appointment(s) for follow-up services or other supports;

B. Action steps to access personal support system(s) or other resources to assist in community integration and obtain help if symptoms recur and additional services/supports are needed;

C. Safe use of medication(s) as prescribed;

D. Referral information such as contact name, telephone number, locations, hours, and days of services, when applicable; and

E. Action steps for maintaining a healthy lifestyle such as

exercising, volunteering, participating in spiritual support groups, and managing personal finances.

(B) A written discharge summary shall be completed to ensure the individual record includes documented treatment episode(s) and the outcome of each episode, including but not limited to:

1. Date of admission and discharge;
2. Identified needs at intake;
3. Referral source as applicable;
4. Services provided and the extent to which established goals and objectives were achieved;
5. Reason(s) for or type of discharge;
6. Diagnosis or diagnostic impression at last contact;
7. Recommendations for continued services and supports;
8. Information on medication(s) prescribed or administered, as applicable; and
9. Signature of staff completing the plan.

(C) Follow-up with individuals who have an unplanned discharge shall be conducted in accordance with the organization's written policies and procedures which include, but are not limited to:

1. Clarifying the reason for the unplanned discharge;
2. Determining if further services are needed; and
3. Referring the individual to other necessary services, if applicable.

(D) The organization shall implement written policies and procedures to ensure a seamless transition for individuals who transfer to more or less intensive services, to another component of care, or are being discharged from the program.

(9) **Crisis Assistance and Intervention.** Ready access to crisis assistance and intervention shall be available to all individuals served, when needed.

(A) The organization shall directly provide or arrange for crisis assistance to be available twenty-four (24) hours per day, seven (7) days per week. Services shall be provided by qualified staff in accordance with applicable program rules, and include face-to-face intervention when clinically indicated.

(B) If the organization utilizes the services of the designated Access Crisis Intervention (ACI) provider for the region, a formal written agreement, memorandum of understanding, or contractual relationship shall be established and documented to support coordination of services and sharing of information to meet individual needs.

(C) If crisis services are provided within the organization, there shall be more than one staff person designated to ensure coverage during leaves of absence.

(10) **Effective Practices.** The organization shall incorporate evidence-based and promising practices into its service array that are designed to—

(A) Support the recovery, resiliency, health, and wellness of the individuals and families/natural supports served;

(B) Enhance the quality of life for individuals and families/natural supports served;

(C) Reduce symptoms or needs and build resilience;

(D) Restore and/or improve functioning; and

(E) Support the integration of individuals into the community.

(11) **Clinical Review.** Services funded by the department are subject to clinical review by department staff to ensure they are necessary, appropriate, likely to benefit the individual, and provided in accordance with admission criteria and service definitions. The department has authority in all matters subject to clinical review including eligibility, service definition, authorization, and limitations.

(12) **Designated or Required Instruments.** In order to promote consistency in clinical practice, eligibility determination, service documentation, and outcome measurement, the department may

require the use of designated instruments in the screening, assessment, and treatment process. The required use of particular instruments is applicable to services funded by the department.

(13) **Organized Record System and Documentation Requirements.** The organization must maintain an organized clinical record system that ensures easily retrievable, complete, and usable records stored in a secure and confidential manner.

(A) The organization shall implement written policies and procedures to ensure—

1. All local, state, and federal laws and regulations related to the confidentiality of records and release of information are followed;

2. Electronic health record systems conform to federal and state regulations;

3. Individual records are retained for at least six (6) years or until all litigation, adverse audit findings, or both, are resolved;

4. Ready access to paper or electronic records requested by authorized staff and/or other authorized parties, including department staff; and

5. All services provided are adequately documented in the individual record to ensure the type(s) of services rendered and the amount of reimbursement received by the organization can be readily discerned and verified with reasonable certainty.

A. Adequate individual records are of the type and in a form such that symptoms, conditions, diagnoses, treatments, prognosis, and the identity of the individual to which these things relate can be readily discerned and verified with reasonable certainty. All documentation must be available at the site where the service was rendered. The record must be legible and made contemporaneously with the delivery of the service (at the time the service was performed or within five (5) business days of the time it was provided), address the individual's specifics including, at a minimum, individualized statements that support the assessment or treatment encounter.

(B) Unless specified otherwise by another payer source(s), all treatment sessions must have accompanying documentation that includes the following:

1. First name, last name, and middle initial or date of birth of the individual and any other identifying information required by a payer source, such as a Document Control Number (DCN);

2. Accurate, complete, and legible description of each service provided;

3. Name, title, and signature of the provider/staff delivering the service;

4. Name of referring entity, when applicable;

5. Date of service (month/day/year);

6. Actual begin and end time taken to deliver a service;

7. Setting in which the service was provided;

8. Plan of treatment, evaluation(s), test(s), findings, results, and prescription(s), as necessary;

9. Need for the services(s) in relationship to the individual treatment plan;

10. Individual's progress toward the goals stated in the individual treatment plan; and

11. For applicable programs, adequate invoices, trip tickets/reports, activity log sheets.

(C) The content of the individual record must include, but is not limited to—

1. Signed consent to treatment;

2. Acknowledgement of orientation to the program;

3. Screening, assessment, treatment plan, and related reviews/updates;

4. Service delivery and progress notes;

5. Continuing recovery and discharge plan(s), as applicable.

6. Documentation of any referral(s) to other services or community resources and outcome of those referrals;

7. Signed authorization(s) to release confidential information,

as applicable;

8. Missed appointments and efforts to reengage the individual, as applicable;

9. Urine drug screening(s) or other lab reports, as applicable;

10. Crisis or other significant clinical events; and

11. Follow up for an unplanned discharge, as applicable.

(14) The organization is subject to recoupment of all or part of reimbursement from the department if individual records do not document—

(A) The service was actually provided;

(B) The service was delivered by a qualified staff person;

(C) The service meets the service definition;

(D) The amount, duration, and length of service; and

(E) The service was delivered under the direction of a current treatment plan.

AUTHORITY: sections 630.050 and 630.055, RSMo [2000] 2016. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed Dec. 12, 2001, effective June 30, 2002. Amended: Filed Nov. 5, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the *Missouri Register*. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH

Division 10—Director, Department of Mental Health

Chapter 7—Core Rules for Psychiatric and Substance [Abuse] Use Disorder Treatment Programs

PROPOSED AMENDMENT

9 CSR 10–7.040 [Quality] Performance Improvement. The department is amending the rule title, purpose, adding new sections (1)–(5), and deleting old sections (1)–(3).

PURPOSE: This amendment changes the rule title and updates the performance improvement requirements for certified and deemed programs.

PURPOSE: This rule describes requirements for [quality] performance improvement activities in [Alcohol and Drug Abuse Programs,] Opioid Treatment Programs, Substance Use Disorder Treatment Programs, Comprehensive Substance Treatment and Rehabilitation Programs (CSTAR), [Compulsive] Gambling Disorder Treatment Programs, Institutional Treatment Programs, Recovery Support Programs, Substance [Abuse] Awareness Traffic Offender Programs (SATOP), Required Education Assessment and Community Treatment Programs (REACT), Community Psychiatric Rehabilitation Programs (CPRP), and [Psychiatric] Outpatient Mental Health Treatment Programs.

[(1) The organization develops and implements a written plan for a systematic quality assessment and improvement process that is accountable to the governing body and addresses those programs and services certified by the department.

(A) An individual or committee is designated as responsible for coordinating and implementing the quality improvement plan.

(B) Direct service staff and consumers are involved in the planning, design, implementation and review of the organization's quality improvement activities.

(C) Records and reports of quality improvement activities are maintained.

(D) The organization updates its plan for quality assessment and improvement at least annually.

(2) Data are collected to assess quality, monitor service delivery processes and outcomes, identify opportunities for improvement, and monitor improvement efforts

(A) Data collection shall reflect priority areas identified in the plan.

(B) Consumer satisfaction data shall be included as part of the organization's quality assessment and improvement process. Such data must be collected in a manner that promotes participation by all consumers

(C) Data are systematically aggregated and analyzed on an ongoing basis.

(D) Data collection analyses are performed using valid, reliable processes.

(E) The organization compares its performance over time and with other sources of information.

(F) Undesirable patterns in performance and sentinel events are intensively analyzed.

(3) The organization develops and implements strategies for service improvement, based on the data analysis.

(A) The organization evaluates the effectiveness of those strategies in achieving improved services delivery and outcomes.

(B) If improved service delivery and outcomes have not been achieved, the organization revises and implements new strategies.

(4) The department may require, at its option, the use of designated measures or instruments in the quality assessment and improvement process, in order to promote consistency in data collection, analysis, and applicability. The required use of particular measures or instruments shall be applicable only to those programs or services funded by the department or provided through a service network authorized by the department.]

(1) Performance Improvement. The organization shall develop, implement, and maintain an effective, ongoing, agency-wide and data-driven performance measurement and performance improvement program/process. These activities allow the organization to objectively review how well it is accomplishing its mission, and develop and initiate performance improvement changes.

(A) The performance measurement and performance improvement program encompasses the organization's full array of clinical services and focuses on indicators related to improved behavioral health or other healthcare outcomes for individuals served.

(B) Direct service staff and medical staff shall be actively involved in performance measurement and improvement activities including, but not limited to, clinical care issues and practices related to the use of medications.

(C) Components of the organization's performance measurement and performance improvement program includes, but is not

limited to:

1. A description of its purpose, priorities, policies, and goals;
2. A description of the measurement analysis and how it will help define future performance improvement activities;
3. A description of evaluation and quality assurance activities that will be utilized to determine the effectiveness of the performance improvement plan;
4. A description of the organizational systems needed to implement the plan including the functions, descriptions of accountability, and roles and responsibilities of staff or performance improvement committee; and
5. A plan for communicating planned activities and processes to staff and the governing body on a regular basis.

(2) **Performance Improvement Plan.** The organization shall develop and implement an annual performance improvement plan. The plan is updated on an ongoing basis to reflect changes, corrections, and other modifications and reviewed annually with the organization's governing body.

(A) Direct service staff, individuals served, and family members/natural supports are involved in the planning, design, implementation and review of the organization's performance improvement activities.

(B) The performance improvement plan shall include, but is not limited to:

1. A process for obtaining satisfaction and other feedback related to service delivery from individuals served, family members/natural supports, and other stakeholders;
2. A process to measure outcomes for individuals served;
3. A review of clinical records to ensure all required documentation is thorough, timely and complete;
4. A process to evaluate whether services are effective, appropriate, and relate to treatment goals;
5. Activities to improve access and retention in services;
6. Review of clinical staff training and competencies;
7. Review of critical/sentinel events, grievances, and complaints; and
8. A process for monitoring compliance of subcontractors.

(3) **Performance Measurement and Analysis.** Performance measurement is a process by which an organization monitors important aspects of its programs, systems, and care processes. Qualitative and quantitative data is collected, systematically aggregated, and analyzed on an ongoing basis to assist organizational leadership in evaluating whether the adequate structure and correct processes are in place to achieve the organization's desired results.

(A) Properly trained staff shall use valid, reliable processes to collect and analyze data. The data may be used to—

1. Distinguish between expected behavioral health outcomes and actual outcomes in areas such as employment/return to school, stable housing, decreased involvement in the justice system, improved physical health and wellness, and increased engagement in services;
2. Establish baseline measures before improvements are made;
3. Make decisions based on solid evidence;
4. Allow performance comparisons across sites;
5. Monitor process changes to ensure improvements are sustained over time;
6. Recognize improved performance;
7. Determine the effectiveness of evidence-based and/or best practices provided;
8. Monitor and continually improve management, clinical services, and support services; and
9. Address undesirable patterns in performance and sentinel events.

(B) Results of the performance analysis are available to indi-

viduals served, family members/natural supports, other stakeholders, and the department.

(4) The department may require, at its option, the use of designated measures or instruments in the performance measurement and improvement process in order to promote consistency in data collection, analysis, and applicability. The required use of particular measures or instruments applies to programs or services funded by the department.

(5) **Documentation.** The organization shall maintain documentation of its performance measurement and performance improvement program and be able to demonstrate its operation to staff of the department, accrediting body, or other interested parties.

(A) Documentation shall include, but is not limited to, the following types of information:

1. Management reports;
2. Strategic plans;
3. Budgets;
4. Accessibility plans;
5. Technology plans and analysis;
6. Risk analysis reports and information;
7. Environmental health and safety reports;
8. Financial reports;
9. Quality assurance reports including review of clinical records to ensure documentation requirements are being met;
10. Data collected;
11. Demographic information of individuals served; and
12. Satisfaction data of individuals, family members/natural supports, and other stakeholders.

AUTHORITY: sections 630.050 and 630.055, RSMo [2000] 2016. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed Nov. 5, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the Missouri Register. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 10—Director, Department of Mental Health
Chapter 7—Core Rules for Psychiatric and
Substance [Abuse] Use Disorder Treatment Programs**

PROPOSED AMENDMENT

9 CSR 10–7.050 Research. The department is amending the chapter title, purpose, and sections (2) and (3).

PURPOSE: This amendment updates terminology related to research.

PURPOSE: This rule establishes standards and procedures for conducting research in [Alcohol and Drug Abuse Programs,] Opioid Treatment Programs, Substance Use Disorder Treatment Programs,

Comprehensive Substance Treatment and Rehabilitation Programs (CSTAR), [Compulsive] Gambling Disorder Treatment Programs, Recovery Support Programs, Substance [Abuse] Awareness Traffic Offender Programs (SATOP), Required Education Assessment and Community Treatment Programs (REACT), Community Psychiatric Rehabilitation Programs (CPRP), and [Psychiatric] Outpatient Mental Health Treatment Programs.

(1) General Policy. The organization shall have a written policy regarding research activities involving individuals served. The organization may prohibit research activities.

(2) Policies and Practices in Conducting Research. If research is conducted, the organization shall assure that—

(A) Compliance is maintained with all federal, state, and local laws and regulations concerning the conduct of research including, but not limited to, sections 630.192, 630.199, 630.194, and 630.115 RSMo, 9 CSR 60-1.010, and 9 CSR 60-1.015[;].

(B) Participating individuals are not the subject of experimental research without their prior written and informed consent or that of their *[parents or] guardian[, if minors;]*.

(C) Participating individuals understand *[that]* they may decide not to participate or may withdraw from any research at any time for any reason.

(3) Notice to the Department. If any participating individual is receiving services funded by the department *[or provided through a service network authorized by the department]*, the organization shall assure *[that]* the research has the prior approval of the department*[/ The organization shall]* and immediately inform the department of any adverse outcome experienced by an individual served due to participation in a research project.

AUTHORITY: sections 630.050 and 630.055, RSMo [2000] 2016. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed Nov. 5, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 10—Director, Department of Mental Health
Chapter 7—Core Rules for Psychiatric and
Substance [Abuse] Use Disorder Treatment Programs**

PROPOSED AMENDMENT

9 CSR 10-7.080 Dietary Service. The department is amending the chapter title and purpose, adding new section (1), and removing old sections (1)–(3).

PURPOSE: This amendment updates the rule with current practices for dietary and food services and removes the incidental, minimal,

and substantial dietary components.

PURPOSE: This rule establishes dietary and food service requirements in *[Alcohol and Drug Abuse Treatment Programs,] Opioid Treatment Programs, Substance Use Disorder Treatment Programs, Comprehensive Substance Treatment and Rehabilitation Programs (CSTAR), [Compulsive] Gambling Disorder Treatment Programs, Recovery Support Programs, Substance [Abuse] Awareness Traffic Offender Programs (SATOP), Required Education Assessment and Community Treatment Programs (REACT), Community Psychiatric Rehabilitation Programs (CPRP), and [Psychiatric] Outpatient Mental Health Treatment Programs.*

[(1) Dietary Standards for Programs with an Incidental Dietary Component.

(A) Programs defined as having only an incidental dietary component shall include:

1. A permanent residence serving no more than four (4) individuals; or

2. Programs and service sites that do not provide for the preparation, storage or provision of food including food brought by the individuals being served.

(B) Programs and service sites defined as having only an incidental dietary component shall address diet and food preparation on a person's individualized treatment plan, if it is identified as an area in need of intervention based on the assessment.

(C) Where the program does not provide meals, but individuals are allowed to bring their own food, the following standards apply:

1. All appliances must be clean and in safe and proper operating condition; and

2. Hand washing facilities including hot and cold water, soap and hand drying means shall be readily accessible.

(2) Dietary Standards for Programs and Treatment Sites with a Minimal Dietary Component.

(A) A program or service site shall be defined as having a minimal dietary component if one of the following criteria apply and it does not meet the definition of incidental dietary component:

1. It provides for the preparation, storage or consumption of no more than one (1) meal a day; or

2. The program or service site has an average length of stay of less than five (5) days.

(B) The following standards apply for programs with a minimal dietary component:

1. Meals shall be nutritious, balanced and varied based on [the latest edition of] the recommended dietary allowances of the Food and Nutrition Board of the National Research Council, National Academy of Sciences. The practical application of these recommendations can be met by following the Dietary Guidelines for Americans and the Food Guide Pyramid of U.S. Department of Agriculture and the U.S. Department of Health and Human Services.

2. Special diets for medical reasons must be provided;

3. Menus shall be responsive to the cultural and religious beliefs of individuals;

4. Food will be served at realistic meal times in a pleasant, relaxed dining area;

5. Food will be stored safely, appropriately and sanitariously;

6. Food shall be [in sound condition, free from spoilage, filth or other contamination and safe for human consumption];

7. All appliances shall be in safe and proper operating condition;

8. Food preparation areas will be cleaned regularly and kept in good repair. Utensils shall be sanitized according to

Missouri Department of Health standards;

9. Hand washing facilities that include hot and cold water, soap and a means of hand drying shall be readily available; and

10. Paragraphs 5.–9. of this subsection shall be met if the site has a current inspection in compliance with 19 CSR 20-1.010.

(3) Dietary Standards for Programs and Treatment Sites with a Substantial Dietary Component.

(A) Programs with a substantial dietary component shall be defined as meeting one of the following criteria and are not the permanent residence of more than four (4) individuals:

1. Programs or treatment sites that serve more than one (1) meal per day; and

2. Programs or treatment sites with an average length of stay of over five (5) days.

(B) Programs with a substantial dietary component shall have the following:

1. An annual inspection finding them in compliance with [the provisions of 19 CSR 20-1.010. Inspections should be conducted by the local health department or by the Department of Health.

2. Those organizations arranging for provision of food services by agreement or contract with the second party shall assure that the provider has demonstrated compliance with this rule

3. Programs providing meals shall implement a written plan to meet the dietary needs of the individuals being served, including:

A. Written menus developed and annually reviewed by a registered dietitian or qualified nutritionist who has at least a bachelor's degree from an accredited college with emphasis on foods and nutrition. The organization must maintain a copy of the dietitian's current registration or the qualified nutritionist's academic record.

B. Any changes or substitution in menus must be noted;

C. Menus for at least the past three (3) months shall be maintained;

D. The written dietary plan shall insure that special diets for medical reasons are provided. Menu samples shall be maintained showing how special diets are developed or obtained;

E. Menus shall be responsive to cultural and religious beliefs of individuals;

4. Meals shall be served in a pleasant, relaxed dining area; and

5. Hand washing facilities including hot and cold water, soap and hand drying means shall be readily accessible.]

(1) Dietary Requirements. The organization shall comply with state, county, and city health regulations applicable to its food and dietary components. This includes food storage, preparation, and service, including catered food through a contractual arrangement and food brought to a program by individuals served.

(A) All programs shall ensure—

1. Proper diet and food preparation are addressed as part of the individualized treatment planning process, if identified as a need during the assessment or is a treatment goal of the individual;

2. All appliances for food storage and preparation are clean and in safe and good operating condition;

3. Hand washing facilities including hot and cold water, soap, and hand drying means are readily accessible to individuals and staff;

4. Fresh water is available to individuals at all times;

5. Consideration is given to the food habits, personal, cultural, and religious preferences and medical needs of individuals served, including provisions for special diets for medical reasons;

6. Meals and snacks are served in a clean dining area with appropriate eating utensils for each individual as applicable;

7. Meals and snacks are nutritious, balanced, and varied based on *The Dietary Guidelines for Americans 2015-2020*, 8th Edition, published by and available from the Office of Disease Prevention and Health Promotion, U.S. Department of Health and Human Services, 1101 Wootton Parkway, Suite LL100, Rockville, MD 20852 and downloadable at <https://health.gov/dietaryguidelines/2015/guidelines/>. The referenced guide does not include any later amendments or additions.

8. Meals and snacks are provided at scheduled times comparable to mealtimes in the community;

9. Food is stored to maintain safety and sanitation standards based on the *Missouri Food Code*, 2013 edition, published by and available from the Missouri Department of Health and Senior Services, Bureau of Environmental Health Services, PO Box 570, Jefferson City, MO 65102-0570. The referenced guide does not include any later amendments or additions;

10. Food preparation areas and utensils are cleaned and sanitized after use and are kept in good repair; and

11. Inspections are current, documented, and available on site and in compliance with state, local, and/or city regulations.

AUTHORITY: sections 630.050 and 630.055, RSMo [2000] 2016. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed Nov. 5, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the Missouri Register. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH
Division 10—Director, Department of Mental Health
Chapter 7—Core Rules for Psychiatric and
Substance [Abuse] Use Disorder Treatment Programs

PROPOSED AMENDMENT

9 CSR 10-7.090 Governing Authority and Program Administration. The department is amending the chapter title and purpose, adding new sections (1)–(7), and deleting old sections (1)–(7).

PURPOSE: This amendment updates terminology and responsibilities of the governing body, and adds required components for the organization's policy and procedure manual.

PURPOSE: This rule describes requirements for and responsibilities of the governing body in [Alcohol and Drug Abuse Programs,] Opioid Treatment Programs, Substance Use Disorder Treatment Programs, Comprehensive Substance Treatment and Rehabilitation Programs (CSTAR), [Compulsive] Gambling Disorder Treatment

Programs, Recovery Support Programs, Substance [Abuse] Awareness Traffic Offender Programs (SATOP), Required Education Assessment and Community Treatment Programs (REACT), Community Psychiatric Rehabilitation Programs (CPRP), and [Psychiatric] Outpatient Mental Health Treatment Programs.

[(1) Governing Body. The organization has a designated governing body with legal authority and responsibility for the operation of the program(s).]

(A) The organization is incorporated in the state of Missouri, maintains good standing in accordance with state law and regulation, and has bylaws identifying the structure of its governing body.

(B) Methods for selecting members of the governing body are delineated. A current list of members is maintained.

(C) Requirements of section (1) are not applicable to government entities, except that a government entity or public agency must have an administrative structure with identified lines of authority to ensure responsibility and accountability for the successful operation of its psychiatric and substance abuse services.

(2) Functions of the Governing Body. The governing body shall effectively implement the functions of—

(A) Providing fiscal planning and oversight;

(B) Ensuring organizational planning and quality improvement in service delivery;

(C) Establishing policies to guide administrative operations and service delivery;

(D) Ensuring responsiveness to the communities and individuals being served;

(E) Delegating operational management to an executive director and, as necessary, to program managers in order to effectively operate its services; and

(F) Designating contractual authority.

(3) Meetings. The governing body shall meet at least quarterly and maintain an accurate record of its meetings. Minutes of meetings must identify dates, those attending, discussion items, and actions taken.

(4) Policy and Procedure Manual. The organization maintains a current policy and procedure manual which accurately describes and guides the operation of its services, promotes compliance with applicable regulations, and is readily available to staff and the public upon request.

(5) Each agency shall develop a corporate compliance plan designed to prevent, detect, and report health care fraud and abuse.

(A) An individual shall be identified as a corporate compliance officer who shall have responsibility for coordinating, implementing, and monitoring the plan.

(B) The corporate compliance plan shall include education and training of staff and specific oversight activities to monitor and detect potential fraud and abuse.

(6) Accountability. The organization establishes a formal, accountable relationship with any contractor or affiliate who provides direct service but who is not an employee of the organization.

(7) Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Regulatory Compliance. The organization must comply with other applicable requirements as set forth in 9 CSR 10-5.]

(1) Governing Body. The organization shall have a designated governing body with legal authority and responsibility over its

policies and operations. The governing authority ensures the organization complies with all federal, state, local, and municipal laws and regulations, as applicable. The chief executive officer is responsible to the governing body for the overall day-to-day operations of the organization, including the control, utilization, and conservation of its physical and financial assets and the recruitment and direction of the staff.

(A) The governing body has written documents of its source of authority that are available to the public upon request. The source of authority document includes, but is not limited to—

1. The eligibility criteria for governing body membership;
2. The number and types of membership;
3. The method of selecting members;
4. The number of members necessary for a quorum;
5. Attendance requirements for governing body membership;

6. The duration of appointment or election for governing body members and officers; and

7. The powers and duties of the governing body and its officers and committees, or the authority and responsibilities of any person legally designated to function as the governing body.

(B) The requirements of section (1) are not applicable to state-operated programs except such programs must have an administrative structure with identified lines of authority to ensure responsibility and accountability for the successful operation of its behavioral health services.

(2) Composition of the Governing Body and Meetings. Members of the governing body shall have a demonstrated interest in the area(s) and/or region(s) served by the organization. A current roster of the governing body members shall be maintained and available to the public upon request.

(A) Members of the governing body shall represent the demographics of the population served including, but not limited to, geographic area, race, ethnicity, gender identity, disability, age, and sexual orientation. Individuals living with mental illness and/or a substance use disorder and family members/natural supports, and parents/legal guardians of children, adolescents, and adults receiving services shall have meaningful input to the governing body.

(B) The governing body shall meet at least quarterly and maintain an accurate record of meetings including dates, attendance, discussion items, and actions taken.

(3) Functions of the Governing Body. Duties of the governing body shall include, but are not limited to—

(A) Providing fiscal planning and oversight;

(B) Ensuring implementation of an organizational performance improvement and measurement process;

(C) Approving policies to guide administrative operations and service delivery;

(D) Ensuring responsiveness to the communities and individuals served;

(E) Delegating operational management to a chief executive officer and, as necessary, to program managers to effectively operate its services; and

(F) Designating contractual authority.

(4) Policy and Procedure Manual. The organization shall maintain a policy and procedure manual which accurately describes and guides the operation of its services and promotes compliance with applicable regulations. Additional policies and procedures for specialized programs/services may be specified in department contracts. The policy and procedure manual shall be readily available to staff and the public upon request and shall include, but is not limited to:

(A) Mission, goals, and objectives of the organization;

(B) Organization of the agency;

(C) Rights, responsibilities, and grievance procedures in accordance with 9 CSR 10-7.020;

(D) Service delivery process, documentation, and individual records in accordance with 9 CSR 10-7.030;

(E) Service array including, but not limited to:

1. Description of all services available, including crisis assistance;

2. Outreach and education strategy for all services;

3. Location of service sites, hours, and days of operation for each site;

4. Accessibility, including provisions for individual choice of services and location;

5. Referral process including follow-up, continuity of care, and timely transfer of records.

(F) Performance measurement and improvement in accordance with 9 CSR 10-7.040;

(G) Research in accordance with 9 CSR 10-7.050;

(H) Emergency safety interventions in accordance with 9 CSR 10-7.060;

(I) Medications in accordance with 9 CSR 10-7.070;

(J) Dietary services in accordance with 9 CSR 10-7.080;

(K) Governing authority and program administration in accordance with 9 CSR 10-7.090;

(L) Fiscal management in accordance with 9 CSR 10-7.100;

(M) Personnel in accordance with 9 CSR 10-7.110;

(N) Physical environment and safety in accordance with 9 CSR 10-7.120;

(O) Background screenings in accordance with 9 CSR 10-5.190;

(P) Report of complaints of abuse, neglect, and misuse of funds/property in accordance with 9 CSR 10-5.200 and 9 CSR 10-5.206;

(Q) Routine monitoring of individual records for compliance with applicable standards;

(R) Commonly occurring issues with individuals served such as missed appointment, accidents on the premises, suicide attempts, threats, loitering, and non-compliance with program policies and procedures; and

(S) Relevant information related to services available for children and youth addressing any and all aspects of paragraph (4)(A)–(R) of this rule.

(5) Corporate Compliance. Each organization shall have a corporate compliance plan to assure federal and state regulatory, contractual obligations, and requirements are fulfilled and services are provided with integrity and the highest standards of excellence.

(A) A staff member of the organization shall serve as the corporate compliance officer and be responsible for coordinating, implementing, and monitoring the corporate compliance plan.

(B) The corporate compliance plan shall include education and training of staff and specific oversight activities to monitor and detect potential fraud and abuse.

(6) Agency Contracts. The organization shall establish a formal, accountable relationship with any contractor that provides a direct service and is not an employee of the organization.

(A) The organization retains full responsibility for all services provided by a contractor. All services must meet the requirements of all laws, rules, regulations, and contracts applicable to the organization.

(B) The department reserves the right to approve any contractor utilized by an organization when the services to be provided are certified or deemed by the department. The department, at its sole discretion, may require such approval prior to the utilization of any contractor.

(C) The organization retains full responsibility for all legal and financial responsibilities related to execution of the contract.

(7) Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Regulatory Compliance. The organization shall comply with applicable requirements as set forth in 9 CSR 10-5.220.

AUTHORITY: sections 630.050[, RSMo Supp. 2009] and [section] 630.055, RSMo [2000] 2016, 45 CFR parts 160 and 164, the Health Insurance Portability and Accountability Act of 1996. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Emergency amendment filed April 1, 2003, effective April 14, 2003, expired Oct. 14, 2003. Amended: Filed April 1, 2003, effective Oct. 30, 2003. Amended: Filed March 15, 2010, effective Sept. 30, 2010. Amended: Filed Nov. 5, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the *Missouri Register*. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH
Division 10—Director, Department of Mental Health
Chapter 7—Core Rules for Psychiatric and
Substance [Abuse] Use Disorder Treatment Programs

PROPOSED AMENDMENT

9 CSR 10-7.100 Fiscal Management. The department is amending the chapter title, purpose, and sections (2)–(5).

PURPOSE: This amendment updates terminology and requirements for fiscal management.

PURPOSE: This rule describes fiscal policies and procedures for [Alcohol and Drug Abuse Programs,] Opioid Treatment Programs, Substance Use Disorder Treatment Programs, Comprehensive Substance Treatment and Rehabilitation Programs (CSTAR), [Compulsive] Gambling Disorder Treatment Programs, Recovery Support Programs, Substance [Abuse] Awareness Traffic Offender Programs (SATOP), Required Education Assessment and Community Treatment Programs (REACT), Community Psychiatric Rehabilitation Programs (CPRP), and [Psychiatric] Outpatient Mental Health Treatment Programs.

(2) Monitoring and Reporting Financial Activity. The organization assigns responsibility for fiscal management to a designated staff member who has the skills, authority, and support to fulfill these responsibilities.

(A) [There is annual budget of revenue by source and expenses by category that is approved in a timely manner by the governing body. Fiscal reports are prepared on at least a quarterly basis which compare the budget to actual experience. Fiscal reports are provided to and reviewed by the governing body and administrative staff who have ongoing responsibility for financial and program management.] An annual budget shall be reviewed and approved by the board of

directors prior to the beginning of the organization's fiscal year. Fiscal reports shall be reviewed by the board of directors and administrative staff on at least a quarterly basis.

(B) *[The organization utilizes financial activity measures to monitor and ensure its ability to pay current liabilities and to maintain adequate cash flows.]* Financial activity measures shall be utilized on a regular basis to monitor and ensure the organization's ability to pay current liabilities and maintain adequate cash flow.

(C) There are adequate internal controls for safeguarding or avoiding misuse of assets.

(D) The organization has an annual audit by an independent, certified public accountant if required by funding sources or otherwise required by federal or state law or regulation. **The audit is reviewed and approved by the governing body and made available to staff who have responsibility for budget and management. Adverse audit findings are addressed and resolved in a timely manner.**

(E) As applicable, the organization conducts an internal quarterly review of a representative sampling of invoices reimbursed by the department to determine accuracy and identify any necessary corrective action.

(3) Fee Schedule. The organization has a current written fee schedule approved by the governing body *[and]* **that is readily** available to staff and individuals/families being served.

(4) Retention and Availability of Fiscal Records. Fiscal records shall be retained for at least *[five (5)]* **six (6) years** or until any litigation *and/or* adverse audit findings*[, or both,]* are resolved. **Department staff and its authorized representative(s) shall be allowed to inspect and examine the organization's premises and/or records related to services funded by the department without limitation. Records must be easily retrievable, complete, and auditable. If access is denied or limited, the department reserves the right to terminate payments for services from the day access is denied or limited.**

(5) Insurance Coverage. *[The organization shall have a]* Adequate insurance coverage **shall be maintained by the organization** to protect its physical and financial resources. Insurance coverage for all people, buildings and equipment shall be maintained and shall include fidelity bond, automobile liability, where applicable, and broad form comprehensive general liability for property damage*[,]* and bodily injury including wrongful death and incidental malpractice.

AUTHORITY: sections 630.050 and 630.055, RSMo [2000] 2016. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed Nov. 5, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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Title 9—DEPARTMENT OF MENTAL HEALTH

Division 10—Director, Department of Mental Health

Chapter 7—Core Rules for Psychiatric and Substance [Abuse] Use Disorder Treatment Programs

PROPOSED AMENDMENT

9 CSR 10-7.110 Personnel. The department is amending the chapter title, purpose, and sections (1)–(5).

PURPOSE: This amendment adds core competency requirements for staff, adds training requirements for volunteers, and updates terminology.

PURPOSE: This rule describes personnel policies and procedures for *[Alcohol and Drug Abuse Programs,]* *Opioid Treatment Programs, Substance Use Disorder Treatment Programs, Comprehensive Substance Treatment and Rehabilitation Programs (CSTAR), [Compulsive] Gambling Disorder Treatment Programs, Institutional Treatment Centers, Substance [Abuse] Awareness Traffic Offender Programs (SATOP), Required Education Assessment and Community Treatment Programs (REACT), Community Psychiatric Rehabilitation Programs (CPRP), and [Psychiatric] Outpatient Mental Health Treatment Programs.*

(1) Policies and Procedures. The organization shall maintain personnel policies, procedures, and practices in accordance with local, state and federal laws and regulations. *[In addition to the requirements of this rule, the organization must also comply with 9 CSR 10-5.190 regarding criminal record background check and eligibility for employment].*

(A) The policies and procedures shall include written job descriptions for each position, **provisions for annual written performance reviews with all employees**, and a current table of organization reflecting each position and, where applicable, the relationship to the larger organization of which the program or service is a part.

(B) Policies and procedures shall be consistently and fairly applied in the recruitment, selection, development, and termination of staff.

(2) Qualified and Trained Staff. Qualified staff shall be available in sufficient numbers to ensure effective service delivery. **The organization shall establish, maintain, and implement a written plan for professional growth and development of staff.**

(A) The organization shall ensure *[that]* staff possess the training, experience, and credentials to effectively perform their assigned services and duties.

1. All individuals holding a position within the organization shall complete orientation and training within the first thirty (30) days of employment in order to be knowledgeable in core competency areas. Staff who are promoted or transferred to a new job assignment shall receive training and orientation to their new responsibilities within thirty (30) days of actual transfer.

(B) Within the scope of their position in the organization, staff shall have a working familiarity with core competencies prior to performing their job as follows:

1. Know the organization's population served, scope of program, mission, vision, and policies and procedures;

2. Understand and perform respective job assignments;

3. Abide by applicable regulations for rights, ethics, confidentiality, corporate compliance, and abuse and neglect;

4. Know agency protocols for responding to emergencies at the program or while providing services in the community, including protocols for infection control and agency procedures to maximize safety for individuals served, staff members, and the public.

[(B)](C) A background screening shall be conducted **for all staff** in accordance with 9 CSR 10-5.190.

[(C)](D) Qualifications and credentials of staff shall be verified

prior to employment, *[with]* **including** primary source verification *[completed within ninety (90) days]*.

[(D)](E) **There is c/Clinical supervision of direct service staff [that] shall be provided on an ongoing basis to ensure/s/ adequate supervisory oversight and guidance, particularly for [those] staff who [may] lack credentials for independent practice in Missouri.**

[(E)](F) Training and continuing education opportunities are available to all direct service staff, */* in accordance with their job duties and any licensing or credentialing requirements.

1. All staff who provide services or are responsible for the supervision of persons served shall participate in at least thirty-six (36) clock hours of relevant training during a two (2)-year period. **A minimum of twelve (12) clock hours of training must be completed annually.**

2. Training shall assist staff in meeting the needs of persons served, including persons with co-occurring **and trauma-related** disorders.

3. The organization shall maintain a record of participation in training and staff development activities.

[(F)](G) When services and supervision are provided twenty-four (24) hours per day, the organization maintains staff on duty, awake, and fully dressed at all times. A schedule or log is maintained which accurately documents staff coverage.

(3) Ethical Standards of Behavior. Staff shall adhere to ethical standards of behavior in their relationships with individuals being served.

(A) Staff shall maintain an objective, professional relationship with individuals being served at all times.

(B) Staff shall not enter dual or conflicting relationships with individuals being served which might affect professional judgment or increase the risk of exploitation.

(C) The organization shall establish policies and procedures regarding staff relationships with *[both]* individuals currently being served and individuals previously served.

(D) The organization shall establish policies and procedures regarding staff use of social media, including how violations of the procedures will be managed.

(E) The organization shall establish standards of conduct for volunteers and students, as applicable.

(4) Volunteers. If the *[agency]* **organization** uses volunteers to **assist with service delivery**, it shall establish and consistently implement policies and procedures to guide the roles and activities of volunteers in an organized and productive manner. The agency shall ensure *[that]* **volunteers are qualified to provide the services rendered**, have a background screening in accordance with 9 CSR 10-5.190, **and receive orientation, training**, and adequate supervision.

(A) Orientation shall occur within thirty (30) days of the individual's volunteer work with the organization including, but not limited to:

1. **Client rights, confidentiality policies and procedures, and abuse, neglect, and misuse of funds as defined in 9 CSR 10-5.200;**

2. **Emergency policies and procedures of the program;**

3. **Philosophy, values, mission, and goals; and**

4. **Other topics relevant to their assignment(s).**

(5) Practicum/Intern Students. *[A practicum/intern student if used in a Department of Mental Health (DMH) program]* **If the organization uses practicum/intern students in a department-funded program, he/she must be enrolled and participating in an accredited college/university in a field of study including, but not limited to, social work, psychology, sociology, or nursing.**

(A) The student and agency must have a written plan documenting the following:

1. Name of *[individual]* **the student**, educational institution, and degree program;

2. Brief description of the status of the *[individual]* **student** with respect to degree completion, */* including semester/hours

remaining, projected completion date, and time period of the practicum or internship;

3. A **job** description of the specific *[job status]* **role** of the *[individual]* **student** with respect to *[agency]* **the program and [client]** population **served;**

4. A specific plan for supervision of the student, */* including name and title of the direct supervisor. The plan must detail the frequency and duration of the supervision activities including the scope of case/record reviews, the location of the supervisor with respect to the service delivery locations, and emergency backup supervision arrangements; and

5. A list of the specific *[Purchase of Service (POS)]* services the agency has approved *[for]* the student to deliver. Students *[may not]* **cannot deliver services reimbursed by Medicaid[-eligible services]** unless they meet the provider eligibility requirements through prior experience and education.

(C) The student must be under the close supervision of the direct clinical supervising professional of the agency. The person providing the supervision must be qualified to provide the services they are supervising.

1. *[For providing counseling services a]* **A student who provides counseling services** must be in a master's program or above, */* and be approved for the practicum by the college/university.

2. To provide case management *[and]*, community support *[work]*, and other support services, a student must be in the final year of a bachelor's program or *[above]* **an associate program approved by the department.**

3. A student may be assigned a limited caseload based on background and prior experience.

(D) [A student must be background screened, oriented and trained as consistent with the agency's policies for new employees.] **The agency shall ensure students have a background screening in accordance with 9 CSR 10-5.190 and receive orientation and training consistent with the organization's policies for new employees.**

(E) Service delivery by the student must be documented according to department standards and policy.

1. All documentation of billable services must be reviewed and countersigned by an individual who meets *[the division]* **department** criteria for a qualified mental health professional or supervisor of counselors, a community support *[worker]* **specialist**, or case manager, as appropriate.

2. Services shall be billed using appropriate existing service codes and reimbursed at the established contract rate for the anticipated degree, unless a distinct student rate has been established for the service.

[(F) For Division of Alcohol and Drug Abuse funded contracts, the services are limited to individual counseling, group counseling, group education and community support work.]

AUTHORITY: sections 630.050 and 630.055, RSMo [2000] 2016. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed Aug. 28, 2002, effective April 30, 2003. Amended: Filed Nov. 5, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the **Missouri**

Register. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 10—Director, Department of Mental Health
Chapter 7—Core Rules for Psychiatric and
Substance [Abuse] Use Disorder Treatment Programs**

PROPOSED AMENDMENT

9 CSR 10-7.120 Physical [Plant] Environment and Safety. The department is amending the chapter and rule titles, purpose, and sections (2)–(9), adding new section (1), deleting old sections (1) and (10), and renumbering as needed.

PURPOSE: This amendment changes the rule title, updates environmental and safety requirements, and adds criteria for an emergency preparedness plan. Requirements for residential facilities are being moved to 9 CSR 10-3, Substance Use Disorder Treatment Programs.

PURPOSE: This rule describes requirements for the physical [facilities] environment and safety in [Alcohol and Drug Treatment Abuse Programs,] Opioid Treatment Programs, Substance Use Disorder Treatment Programs, Comprehensive Substance Treatment and Rehabilitation Programs (CSTAR), [Compulsive] Gambling Disorder Treatment Programs, Recovery Support Programs, Substance [Abuse] Awareness Traffic Offender Programs (SATOP), Required Education Assessment and Community Treatment Programs (REACT), Community Psychiatric Rehabilitation Programs (CPRP), and [Psychiatric] Outpatient Mental Health Treatment Programs.

[(1) Applicable Requirements for All Facilities and for Residential Facilities. This rule is organized as follows:

*(A) Sections (2) through (9) apply to all facilities and program sites subject to certification by the department; and
(B) Section (10) applies to residential facilities only.*

(2) Safety Inspections. Each individual shall be served in a safe facility.]

(1) General Requirements. The organization shall provide services in an environment that ensures the health, safety, and security of individuals served, staff, and others.

(A) All buildings used for programmatic activities *[or residential services by the organization]* shall meet applicable state and local fire safety, building, occupancy, and health requirements. *[At the time of the initial application and after that, whenever renovations are made, the organization shall submit to the department verification that the facility complies with requirements for the building, electrical system, plumbing, heating system and, where applicable, water supply.]*

(B) The organization shall maintain documentation **on site** of all inspections and correction of *[all]* any cited deficiencies to assure compliance with applicable state and local fire safety, building, and health requirements. *[These inspection and documentation requirements may be waived for a nonresidential service site that operates less than three (3) hours per day, two (2) days per week.]*

(C) A currently certified/**deemed** organization that relocates any program into a new physical *[facilities shall have]* **environment or constructs an addition to an existing building(s) must ensure the new [facilities] location and/or building(s) comply with this rule in order to maintain certification/deemed status by the department. [All additions or expansions to existing physical facilities must meet the requirements of this rule.]**

[(3)](2) Physical Access. Individuals *[are]* **must** be able to readily

access the organization's services. The organization shall demonstrate an ability to remove architectural and other barriers that may confront individuals otherwise eligible for services.

[(4)](3) Adequate Space and Furnishings. Individuals are served in an *[setting]* **environment** with adequate space, equipment, and furnishings for all program activities and for maintaining privacy and confidentiality.

(A) In keeping with the specific purpose of the service, the organization shall make available—

1. A reception/waiting area **that safely accommodates individuals served and visitors to the program;**

2. Private areas for *[individual counseling and family therapy]* **confidential individual and group services;**

[3. A private area(s) for group counseling, education and other group services;]

[4.]3. An area(s) for indoor social and recreational activities *[in residential settings and in nonresidential settings where individuals are scheduled for more than four (4) hours per day];* and

[5. Separate toilet facilities for each sex, except where reasonable evidence is shown to the department that this is not necessary.]

4. Restrooms in adequate number to meet the needs of individuals served.

[(B) The organization shall have appropriate furnishings, which are clean and in good repair;]

[(C)](B) The use of *[appliances such as television, radio and stereo equipment]* **televisions, cell phones, computers, laptops, or other electronic devices** shall not interfere with the therapeutic program.

[(5)](4) [Clean and Comfortable Setting] Environment. Individuals are served in *[settings that are]* **an environment that is clean and comfortable[, in good repair,]** and in safe and proper operating *[order]* **condition.** The organization shall—

(A) Provide adequate and comfortable lighting;

(B) *[Maintain a comfortable room temperature between sixty-eight degrees Fahrenheit (68°F) and eighty degrees Fahrenheit (80°F).]* **Maintain heating, ventilation, and cooling systems to ensure a temperature-controlled environment that meets the reasonable comfort needs of individuals served;**

(C) Provide screens on outside doors and windows if they are to be kept open;

(D) Provide effective pest control measures;

(E) Store *[refuse]* **trash and garbage** in covered containers *[so as not to create a nuisance or health hazard]* **that are removed on a regular basis;**

(F) Maintain the facility **to be** free of undesirable odors;

(G) Provide stocked, readily accessible first-aid supplies; and

(H) Take measures to prevent, detect, and control infections among individuals and personnel, and have protocols for proper treatment **and training of staff, individuals served, and others.**

[(6)](5) Off-Site Functions. If the organization offers *[certain]* services at locations in the community other than at its *[facilities]* **physical facility location(s), [the organization shall take]** usual and reasonable precautions **shall be taken to [preserve]** ensure the safety of individuals participating in *[these]* **services at off-site locations.**

[(7)](6) Emergency Preparedness and Safety. **In keeping with the specific purpose of the service(s) provided, [7]the organization shall have [an] a written emergency preparedness plan to maintain continuity of its operations in preparation for, during, and after an emergency or disaster. Consultation with the local Federal Emergency Management Agency or other recognized resource for emergency planning and preparedness in developing the plan is recommended.**

[(A)] The plan shall address medical emergencies and natural disasters.

[(B)] Evacuation routes shall be posted, or the organization shall maintain a written evacuation plan.

[(C)] Staff shall demonstrate knowledge and ability to effect the emergency preparedness plan and, where applicable, the evacuation plan.

[(D)] Emergency numbers for the fire department, police and poison control shall be posted and readily visible near the telephone.]

(A) The emergency preparedness plan shall include, but is not limited to, potential medical emergencies, natural disasters, fires, bomb threats, utility failures, and violent or other threatening situations. The plan shall be posted and accessible at all times, at all program locations.

(B) The plan shall include, but is not limited to—

1. When evacuation is necessary;
2. Complete evacuation from each physical facility with a designated gathering point;
3. When sheltering in place is appropriate and any additional steps necessary to ensure safety (such as sealing a room);
4. The safety and accounting for all persons involved, including responsible staff;
5. Temporary shelter when applicable;
6. Identification of essential services;
7. Continuation of essential services when applicable; and
8. Notification of the appropriate emergency authorities.

(C) Evacuation routes with diagrams giving clear directions on how to exit the building safely and in a timely manner shall be posted in locations easily accessible to individuals served, staff, and visitors.

(D) Staff shall demonstrate knowledge and ability to implement the emergency preparedness plan and, where applicable, the evacuation plan.

(E) Unannounced tests/drills of all emergency procedures shall be conducted at least annually on each shift and at each program location. Results of all tests/drills shall be reviewed and documented with corrective action taken, as needed, including training and education of staff.

[(8)](7) **[Fire] Hazard Prevention, Detection, and Safety Equipment.** The organization shall maintain fire and other safety equipment in proper operating condition and implement practices to protect all *[occupants]* individuals from fire, smoke, harmful fumes, and other safety hazards. An annual inspection in accordance with the Life Safety Code of the National Fire Protection Association (NFPA) shall be conducted.

(A) Organizations shall maintain a fire detection and notification system that detects smoke, fumes and/or heat and sounds an alarm that can be heard throughout the premises, above the noise of normal activities, radios, and televisions.

[(A)](B) Portable ABC *[type]-*rated fire extinguishers shall be located on each floor used by individuals being served *[so that no one will have to travel more than one hundred feet (100') from any point to reach the nearest extinguisher]* as specified by the local authority. Additional fire extinguishers shall be *[provided, where applicable, for]* located in or near the kitchen, laundry *[and]* room, furnace room, and other areas as recommended by the local authority.

[(B)](C) Fire extinguishers shall be clearly visible and maintained with a charge.

[(C)](D) *[There shall be]* Each floor used by individuals served shall have at least two (2) means of exit *[on each floor used by individuals being served, which]* that are independent of and remote from one another.

1. Outside fire escape stairs may constitute one (1) means of exit in existing buildings. Fire escape ladders shall not constitute one (1) of the required means of exit.

2. The means of exit shall be free of any item that would

obstruct the exit route.

3. Outside stairways shall be **kept clear and be** substantially constructed to support people during evacuation. Newly constructed fire exits shall meet requirements of the *[National Fire Protection Association (NFPA)] Life Safety Code*.

4. Outside stairways shall be reasonably protected against blockage by a fire. This may be accomplished by physical separation, distance, arrangement of the stairs, protection of openings, exposing the stairs, or other means acceptable to the *[fire]* local authority.

5. Outside stairways *[at facilities]* in buildings with three (3) or more stories shall be constructed of noncombustible material, such as iron or steel.

[(D)](E) Unless otherwise determined by the *[fire inspector]* local authority, based on a facility's overall size and use, the requirement of two (2) or more means of exit on each floor *[shall]* **may** be waived for *[those]* sites that meet each of the following conditions:

1. Do not offer overnight sleeping accommodations;
2. Do not cook meals on a regular basis; and
3. Do not provide services on-site to twenty (20) or more individuals at a given time as a usual and customary pattern of service delivery.

[(E)] The requirement for two (2) means of exit from the second floor shall be waived for a residential facility if it serves no more than four (4) individuals and each of those individuals—

1. Is able to hear and see;
2. Is able to recognize a fire alarm as a sign of danger;
3. Is ambulatory and able to evacuate the home without assistance in an emergency; and
4. Has staff available in the event that assistance is needed.

(F) Ceiling height shall be at least seven feet ten inches (7'10") in all rooms used by persons served except as follows:

1. Hallways and bathrooms shall have a ceiling height of at least seven feet six inches (7'6"); and
2. Existing facilities inspected and approved by the department during a certification site survey prior to the effective date of this rule may request an exception from this ceiling height requirement.]

[(G)](F) Combustible supplies and equipment[,], such as oil base paint, paint thinner, and gasoline, shall be separated from other parts of the building in accordance with stipulations of the *[fire]* local authority.

[(H)] The use of wood, gas or electric fireplaces shall not be permitted unless they are installed in compliance with the NFPA codes and the facility has prior approval of the department.]

(G) Smoke detectors shall be installed in accordance with the recommendations of the NFPA codes and be functional at all times.

1. If the program serves individuals who are deaf, the smoke detectors must have an alarm system designed for hearing-impaired persons as specified by the NFPA codes.

(H) Organizations using equipment or appliances that pose a potential carbon monoxide risk shall install a carbon monoxide detector(s) as specified by the NFPA codes. Carbon monoxide detectors must be functional at all times.

(I) All staff of the organization must be trained and demonstrate the ability to operate the organization's fire alarm system, fire extinguishers, and other safety devices.

[(I)](J) *[The Life Safety Code of the (NFPA)]* The NFPA codes shall prevail in the interpretation of these fire safety standards.

[(J)] Fire protection equipment required shall be installed in accordance with NFPA codes.]

(K) The *[facility]* organization shall *[be]* maintain a smoke-free[,], unless otherwise stipulated in program specific rules/ environment.

[(9)](8) Safe Transportation. *[Where applicable, the organization shall implement measures to ensure safe transportation for persons served.]* The organization shall ensure transportation for individuals served is provided in a safe and accessible manner as applicable.

(A) *[Agency owned]* All vehicles *[which are]* used by the organization to transport persons served shall have—

1. Regular inspection and maintenance as legally required; and
2. Adequate first-aid supplies and fire suppression equipment *[which are]* secured in any van, bus, or other vehicle used to transport more than four (4) *[clients]* individuals. Staff *[which operate]* operating such a vehicle shall have training in emergency procedures and the handling of accidents and road emergencies and have access to a cell phone or other communication device in the vehicle.

(B) All staff who transport persons served shall be properly licensed with driving records acceptable to the agency.

(C) *[There shall be a current certificate of insurance for agency owned vehicles in accordance with the organization's requirements.]* All vehicles used to transport individuals served shall be properly registered and insured.

(D) Organizations that provide transportation for children shall comply with state and federal car seat laws and regulations.

(E) If transportation services are contracted, the organization shall conduct an annual review to ensure the contractor meets the requirements in subsections (A) through (D) of this section.

[(10) Residential Facilities. In addition to the requirements under sections (1) through (8) of this rule, residential facilities shall also meet the following additional requirements:

(A) Residential facilities shall provide—

1. At least one (1) toilet, one (1) lavatory with a mirror and one (1) tub or shower for each six (6) individuals provided overnight sleeping accommodations
2. Bathroom(s) in close proximity to the bedroom area(s);
3. Privacy for personal hygiene, including stalls or other means of separation acceptable to the department when a bathroom has multiple toilets, urinals or showers;
4. Laundry area or service;
5. Adequate supply of hot water;
6. Lockable storage space for the use of each individual being served;
7. Furniture and furnishings suitable to the purpose of the facility and individuals;
8. Books, newspapers, magazines, educational materials, table games and recreational equipment, in accordance with the interests and needs of individuals;
9. An area(s) for dining;
10. Windows which afford visual access to out-of-doors and, if accessible from the outside, are lockable; and
11. Availability of outdoor activities;

(B) Bedrooms in residential facilities shall:

1. Have no more than four (4) individuals per bedroom;
2. Have separate areas for males and females subject to the department's approval;
3. Provide at least sixty (60) square feet of floor space per individual in multiple sleeping rooms and eighty (80) square feet per individual in single sleeping rooms. Additional space shall be required, if necessary, to accommodate special medical or other equipment needed by individuals. In the computation of space in a bedroom with a sloped ceiling, floor space shall be limited to that proportion of the room having a ceiling height as required elsewhere in this rule. Square feet of contiguous floor space for each individual shall be computed by using the inside dimensions of the room in which the person's bed is physically located less that square footage of floor space required by any other individuals and less any walled, closed space within the room;

4. Have a separate bed with adequate headroom for each individual. Cots and convertibles shall not be used. If bunk beds are used they shall be sturdy, have braces to prevent rolling from the top bunk, and be convertible to two (2) floor beds if an individual does not desire a bunk bed;

5. Provide storage space for the belongings of each individual, including space for hanging clothes;

6. Encourage the display of personal belongings in accordance with treatment goals;

7. Provide a set of linens, a bedspread, a pillow and blankets as needed;

8. Have at least one (1) window which operates as designed;

9. Have a floor level which is no more than three feet (3') below the outside grade on the window side of the room; and

10. Not be housed in a mobile home, unless otherwise stipulated in program specific rules;

(C) Activity space in residential facilities shall:

1. Total eighty (80) square feet for each individual, except that additional space shall be required, if necessary to accommodate special medical or other equipment needed by individuals. Activity space includes the living room, dining room, counseling areas, recreational and other activity areas. Activity space does not include the laundry area, hallways, bedrooms, bathrooms or supply storage area; and

2. Not be used for other purposes if it reduces the quality of services;

(D) In all residential facilities, fire safety precautions shall include—

1. An adequate fire detection and notification system which detects smoke, fumes and/or heat, and which sounds an alarm which can be heard throughout the facility above the noise of normal activities, radios and televisions;

2. Bedroom walls and doors that are smoke resistant. Transfer grilles are prohibited;

3. A range hood and extinguishing system for a commercial stove or deep fryer. The extinguishing system shall include automatic cutoff of fuel supply and exhaust system in case of fire; and

4. An annual inspection in accordance with the Life Safety Code of the National Fire Protection Association (NFPA);

(E) Residential facilities with more than four (4) individuals shall provide—

1. Smoke detectors powered by the electrical system with an emergency power backup. These detectors shall activate the alarm system. They shall be installed on all floors, including basements. Detectors shall be installed in living rooms or lounges. Heat detectors may be used in utility rooms, furnace rooms and unoccupied basements and attics;

2. Smoke detectors in each sleeping room. Those detectors may be battery operated and are not required to initiate the building fire alarm system;

3. At least one (1) manual fire alarm station per floor arranged to continuously sound the smoke detection alarm system or other continuously sounding manual alarms acceptable to the authority having jurisdiction. The requirement of at least one (1) manual fire alarm station per floor may be waived where there is an alarm station at a central control point under continuous supervision of a responsible employee;

4. An alarm which is audible in all areas. There shall be an annual inspection of the alarm system by a competent authority;

5. A primary means of egress which is a protected vertical opening. Protected vertical openings shall have doors that are self-closing or automatic closing upon detection of

smoke. Doors shall be at least one and one-half inches (1 1/2") in existing facilities and one and three-fourths inches (1 3/4") in new construction, of solid bonded wood core construction or other construction of equal or greater fire resistance;

6. Emergency lighting of the means of egress; and

7. Readily visible, approved exit signs, except at doors leading directly from rooms to an exit corridor and except at doors leading obviously to the outside from the entrance floor. Every exit sign shall be visible in both the normal and emergency lighting mode;

(F) In residential facilities with more than twenty (20) individuals—

1. Neither of the required exits shall be through a kitchen;
2. No floor below the level of exit discharge, used only for storage, heating equipment or purposes other than residential occupancy shall have unprotected openings to floors used for residential purposes;

3. Doors between bedrooms and corridors shall be one and one-half inches (1 1/2") in existing facilities, and one and three-fourths inches (1 3/4") in new construction, solid bonded wood core construction or other construction of equal or greater fire resistance;

4. Unprotected openings shall be prohibited in interior corridors serving as exit access from bedrooms; and

5. A primary means of egress which is an enclosed vertical opening. This vertical opening shall be enclosed with twenty (20)-minute fire barriers and doors that are self-closing or automatic closing upon detection of smoke.

(G) In detoxification programs—

1. The means of exit shall not involve windows;

2. The interior shall be fully sheathed in plaster or gypsum board, unless the group can evacuate in eight (8) minutes or less; and

3. Bedroom doors shall be one and one-half inches (1 1/2") in existing facilities, and one and three-fourths inches (1 3/4") in new construction, solid bonded wood core construction or other construction of equal or greater fire resistance, unless the group can evacuate in eight (8) minutes or less.]

AUTHORITY: sections 630.050 and 630.055, RSMo [2000] 2016. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed Nov. 5, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the *Missouri Register*. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 10—Director, Department of Mental Health
Chapter 7—Core Rules for Psychiatric and
Substance [Abuse] Use Disorder Treatment Programs**

PROPOSED AMENDMENT

9 CSR 10-7.130 Procedures to Obtain Certification. The department is amending the chapter title and purpose, adding new sections (1)–(18), and deleting old sections (1)–(13).

PURPOSE: This amendment updates terminology and certification procedures, including a provision for the department to issue one- (1-) to three- (3-) year certification.

PURPOSE: This rule describes procedures to obtain certification as [Alcohol and Drug Abuse Programs,] a **Substance Use Disorder Treatment Program**, Comprehensive Substance Treatment and Rehabilitation Program[s] (CSTAR), **Institutional Treatment Center**, [Compulsive] **Gambling Disorder Treatment Program[s]**, **Prevention Program**, **Recovery Support Program**, Substance [Abuse] Awareness Traffic Offender Program[s] (SATOP), Required Education Assessment and Community Treatment Program[s], (REACT) Community Psychiatric Rehabilitation Program[s] (CPRP), [and Psychiatric] or **Outpatient Mental Health Treatment Program[s]**.

[(1) Under sections 630.655, 630.010, and 376.779.3 and 4, RSMo, the department is mandated to develop certification standards and to certify an organization's level of service, treatment or rehabilitation as necessary for the organization to operate, receive funds from the department, or participate in a service network authorized by the department and eligible for Medicaid reimbursement. However, certification in itself does not constitute an assurance or guarantee that the department will fund designated services or programs.

(A) A key goal of certification is to enhance the quality of care and services with a focus on the needs and outcomes of persons served.

(B) The primary function of the certification process is assessment of an organization's compliance with standards of care. A further function is to identify and encourage developmental steps toward improved program operations, client satisfaction and positive outcomes.

(2) An organization may request certification by completing an application form, as required by the department for this purpose, and submitting the application form, and other documentation, as may be specified, to the Department of Mental Health, PO Box 687, Jefferson City, MO 65102.

(A) The organization must submit a current written description of those programs and services for which it is seeking certification by the department.

(B) A new applicant shall not use a name which implies a relationship with another organization, government agency or judicial system when a formal organizational relationship does not exist.

(C) Certification fees are not required, except for the Substance Abuse Traffic Offender Program (SATOP). A non-refundable fee of one hundred twenty-five dollars (\$125) is required upon initial application. Renewal fees are as follows:

1. A fee of one hundred twenty-five dollars (\$125) is required if the aggregate number of individuals being served in the SATOP program(s) during the preceding state fiscal year was less than two hundred fifty (250) individuals;

2. A fee of two hundred fifty dollars (\$250) is required if the aggregate number of individuals being served in the SATOP program(s) during the preceding state fiscal year was at least two hundred fifty (250) but no more than four hundred ninety-nine (499); or

3. A fee of five hundred dollars (\$500) is required if the aggregate number of individuals being served in the SATOP program(s) during the preceding state fiscal year was at least five hundred (500).

(D) The fee schedule may be adjusted annually by the department.

(E) The department will review a completed application within thirty (30) calendar days of receipt to determine whether the applicant organization would be appropriate for certification. The department will notify the organization of its determination. Where applicable, an organization may qualify for expedited certification in accordance with subsections (3)(B) and (C) of this rule by submitting to the department required documentation and verification of its accreditation or other deemed status.

(F) An organization that wishes to apply for recertification shall submit its application forms to the department at least sixty (60) days before expiration of its existing certificate.

(G) An applicant can withdraw its application at any time during the certification process, unless otherwise required by law.

(3) The department shall conduct a site survey at an organization to assure compliance with standards of care and other requirements. The department shall determine which standards and requirements are applicable, based on the application submitted and the on-site survey.

(A) The department shall conduct a comprehensive site survey for the purpose of determining compliance with core rules and program/service rules, except as stipulated in subsections (3)(B) and (C).

(B) The department shall conduct an expedited site survey when an organization has attained full accreditation under standards for behavioral healthcare from the Commission on Accreditation of Rehabilitation Facilities (CARF), Joint Commission on Accreditation of Healthcare Organizations (JCAHO), or the Council on Accreditation of Services to Families and Children (COA).

1. The survey shall monitor compliance with applicable program/service rules promulgated by the department.

2. The survey shall not monitor core rules, except for those requirements designated by the department as essential to—

A. Providing and documenting services funded by the department or provided through a service network authorized by the department;

B. Assuring the qualifications and credentials of staff members providing these services;

C. Protecting the rights of individuals being served, including mechanisms for grievances and investigations; and

D. Funding, contractual, or other legal relationship between the organization and the department.

(C) The department shall grant a certificate, upon receipt of a completed application, to an organization which has attained full accreditation under standards for behavioral healthcare from CARF, JCAHO or COA; does not provide methadone treatment; does not receive funding from the department; and does not participate in a service network authorized by the department.

1. The organization must submit a copy of the most recent accreditation survey report and verification of the accreditation time period and dates.

2. The department shall review its categories of programs and services available for certification and shall determine those which are applicable to the organization. The department, at its option, may visit the organization's program site(s) solely for the purpose of clarifying information contained in the organization's application and its description of programs and services, and/or determining those programs and services eligible for certification by the department.

(4) The department shall provide advance notice and sched-

uling of routine, planned site surveys.

(A) The department shall notify the applicant regarding survey date(s), procedures and a copy of any survey instrument that may be used. Survey procedures may include, but are not limited to, interviews with organization staff, individuals being served and other interested parties; tour and inspection of treatment sites; review of organization administrative records necessary to verify compliance with requirements; review of personnel records and service documentation; observation of program activities; and review of data regarding practice patterns and outcome measures, as available.

(B) The applicant agrees, by act of submitting an application, to allow and assist department representatives in fully and freely conducting these survey procedures and to provide department representatives reasonable and immediate access to premises, individuals, and requested information.

(C) An organization must engage in the certification process in good faith. The organization must provide information and documentation that is accurate, and complete. Failure to participate in good faith, including falsification or fabrication of any information used to determine compliance with requirements, may be grounds to deny issuance of or to revoke certification.

(D) The surveyor(s) shall hold entrance and exit conferences with the organization to discuss survey arrangements and survey findings, respectively. A surveyor shall immediately cite any deficiency which could result in actual jeopardy to the safety, health or welfare of persons served. The surveyor shall not leave the program until an acceptable plan of correction is presented which assures the surveyor that there is no further risk of jeopardy to persons served.

(E) Within thirty (30) calendar days after the exit conference, the department shall provide a written survey report to the organization's director and governing authority.

1. The report shall note any deficiencies identified during the survey for which there was not prompt, remedial action.

2. The organization shall make the report available to the staff and to the public upon request.

3. Where applicable, the department shall send a notice of deficiency by certified mail, return receipt requested.

(F) Within thirty (30) calendar days of the date that a notice of deficiency is presented by certified mail to the organization, it shall submit to the department a plan of correction.

1. The plan must address each deficiency, specifying the method of correction and the date the correction shall be completed.

2. Within fifteen (15) calendar days after receiving the plan of correction, the department shall notify the organization of its decision to approve, disapprove, or require revisions of the proposed plan.

3. In the event that the organization has not submitted a plan of correction acceptable to the department within ninety (90) days of the original date that written notice of deficiencies was presented by certified mail to the organization, it shall be subject to expiration of certification.

(5) The department may grant certification on a temporary, provisional, conditional, or compliance status. In determining certification status, the department shall consider patterns and trends of performance identified during the site survey.

(A) Temporary status shall be granted to an organization if the survey process has not been completed prior to the expiration of an existing certificate and the applicant is not at fault for failure or delay in completing the survey process.

(B) Provisional status for a period of one hundred eighty (180) calendar days shall be granted to a new organization

or program based on a site review which finds the program in compliance with requirements related to policy and procedure, facility, personnel, and staffing patterns sufficient to begin providing services.

1. In the department's initial determination and granting of provisional certification, the organization shall not be expected to fully comply with those standards which reflect ongoing program activities.

2. Within one hundred eighty (180) calendar days of granting provisional certification, the department shall conduct a comprehensive or expedited site survey and shall make a further determination of the organization's certification status.

(C) Conditional status shall be granted to an organization which, upon a site survey by the department, is found to have numerous or significant deficiencies with standards that may affect quality of care to individuals but there is reasonable expectation that the organization can achieve compliance within a stipulated time period.

1. The period of conditional status shall not exceed one hundred eighty (180) calendar days. The department may directly monitor progress, may require the organization to submit progress reports, or both.

2. The department shall conduct a further site survey within the one hundred eighty (180)-day period and make a further determination of the organization's compliance with standards.

(D) Compliance status for a period of three (3) years shall be awarded to an organization which, upon a site survey by the department, is found to meet all standards relating to quality of care and the safety, health and welfare of persons served.

(E) For organizations that have attained full accreditation under standards for behavioral healthcare from CARF, JCAHO, and COA, and that receive an expedited site survey from the department, compliance status from the department shall be for a period of time equal to the length of the accreditation received from the accrediting entity.

(6) The department may investigate any written complaint regarding the operation of a certified program or services.

(7) The department may conduct a scheduled or unscheduled site survey of an organization at any time to monitor ongoing compliance with these rules. If any survey finds conditions that are not in compliance with applicable certification standards, the department may require corrective action steps and may change the organization's certification status consistent with procedures set out in this rule.

(8) The department shall certify only the organization named in the application, and the organization may not transfer certification without the written approval of the department.

(A) A certificate is the property of the department and is valid only as long as the organization meets standards of care and other requirements.

(B) The organization shall maintain the certificate issued by the department in a readily available location.

(C) Within seven (7) calendar days of the time a certified organization is sold, leased, discontinued, moved to a new location, has a change in its accreditation status, appoints a new director, or changes programs or services offered, the organization shall provide written notice to the department of any such change.

(D) A certified organization that establishes a new program or type of program shall operate that program in accordance with applicable standards. A provisional review, expedited site survey or comprehensive site survey shall be conducted, as determined by the department.

(9) The department may deny issuance of and may revoke certification based on a determination that—

(A) The nature of the deficiencies results in substantial probability of or actual jeopardy to individuals being served;

(B) Serious or repeated incidents of abuse or neglect of individuals being served or violations of rights have occurred;

(C) Fraudulent fiscal practices have transpired or significant and repeated errors in billings to the department have occurred;

(D) Failure to participate in the certification process in good faith, including falsification or fabrication of any information used to determine compliance with requirements;

(E) The nature and extent of deficiencies results in the failure to conform to the basic principles and requirements of the program or service being offered; or

(F) Compliance with standards has not been attained by an organization upon expiration of conditional certification.

(10) The department, at its discretion, may—

(A) Place a monitor at a program if there is substantial probability of or actual jeopardy to the safety, health or welfare of individuals being served.

1. The cost of the monitor shall be charged to the organization at a rate which recoups all reasonable expenses incurred by the department.

2. The department shall remove the monitor when a determination is made that the safety, health and welfare of individuals being served is no longer at risk.

(B) Take other action to ensure and protect the safety, health or welfare of individuals being served.

(11) An organization which has had certification denied or revoked may appeal to the director of the department within thirty (30) calendar days following notice of the denial or revocation being presented by certified mail to the organization. The director of the department shall conduct a hearing under procedures set out in Chapter 536, RSMo and issue findings of fact, conclusions of law and a decision which shall be final.

(12) The department shall have authority to impose administrative sanctions.

(A) The department may suspend the certification process pending completion of an investigation when an organization that has applied for certification or the staff of that organization is under investigation for fraud, financial abuse, abuse of persons served, or improper clinical practices.

(B) The department may administratively sanction a certified organization that has been found to have committed fraud, financial abuse, abuse of persons served, or improper clinical practices or that had reason to know its staff were engaged in such practices.

(C) Administrative sanctions include, but are not limited to, suspension of certification, clinical utilization review requirements, suspension of new admissions, denial or revocation of certification, or other actions as determined by the department.

(D) The department shall have the authority to refuse to accept for a period of up to twenty-four (24) months an application for certification from an organization that has had certification denied or revoked or that has been found to have committed fraud, financial abuse or improper clinical practices or whose staff and clinicians were engaged in improper practices.

(E) An organization may appeal these sanctions pursuant to section (11).

(13) An organization may request the department's exceptions

committee to waive a requirement for certification if the head of the organization provides evidence that a waiver is in the best interests of the individuals it serves.

(A) A request for a waiver shall be in writing and shall include justification for the request.

(B) The request shall be submitted to Exceptions Committee, Department of Mental Health, PO Box 687, Jefferson City, MO 65102.

(C) The exceptions committee shall hold meetings in accordance with Chapter 610, RSMo and shall respond with a written decision within forty-five (45) calendar days of receiving a request.

(D) The exceptions committee may issue a waiver on a time-limited or other basis.

(E) If a waiver request is denied, the exceptions committee shall give the organization forty-five (45) calendar days to fully comply with the standard, unless a different time period is specified by the committee.]

(1) **Certification Standards.** Under sections 376.779.3 and 4, 630.010, and 630.655, RSMo, the department is mandated to develop certification standards and to certify an organization's level of services as necessary and applicable for it to operate, receive funds from the department, and participate in department programs eligible for Medicaid reimbursement. Certification does not constitute an assurance or guarantee the department will fund designated services or programs.

(A) A key goal of certification is to enhance the quality of care and services with a focus on the needs and outcomes of persons served.

(B) The primary function of the certification process is assessment of an organization's compliance with the department's standards of care. A further function is to identify and encourage developmental steps toward improved program operations, satisfaction with services, and successful outcomes for individuals served.

(2) Under section 630.050, RSMo, the department shall certify each community psychiatric rehabilitation (CPR) provider's rehabilitation program services as a condition of participation in the CPR program.

(3) To be eligible for certification as a CPR provider, an organization must meet one (1) of the following requirements:

(A) Performs the required functions described in section 1916(c)(4) of the Public Health Service Act;

(B) Meets the eligibility requirements for receipt of federal mental health block grant funds;

(C) Has a current and valid contract for services with the department pursuant to 9 CSR 25-2;

(D) Is designated by the department under the authority of section 632.050, RSMo to serve as an entry and exit point for the public mental health service delivery system; or

(E) Has been certified at least once prior to November 7, 1993, and has maintained certification continuously since November 7, 1993.

(4) The department shall certify, as a result of a certification survey or deeming, each CPR program as designated and eligible to serve children and youth under the age of eighteen (18).

(5) To be eligible to serve children and youth under the age of eighteen (18), a certified or deemed-certified CPR program shall:

(A) Have a current and valid contract for services with the department pursuant to 9 CSR 25-2;

(B) Meet the eligibility requirements for receipt of federal mental health block grant funds;

(C) Provide a comprehensive array of psychiatric services to children and youth including, but not limited to:

1. Crisis intervention mobile response;

2. Screening and assessment;

3. Medication services; and

4. Intensive case management consistent with state plan approved services; and

(D) Have experience and expertise in delivering a department-approved home-based crisis intervention program of psychiatric services for children and youth.

(6) A certified or deemed-certified CPR program in each designated service area may serve transition-age youth, age sixteen (16) and older, meeting the diagnostic eligibility requirements in 9 CSR 30-4.042 without the certification specified in paragraphs (4) and (5) of this rule. The clinical record must include documentation it is clinically and developmentally appropriate to serve the individual in an adult program.

(7) **Application Process and Fees.** An organization may request certification by completing the application form as required by the department for this purpose, and submitting the application and any specified documentation to: Department of Mental Health, PO Box 687, Jefferson City, MO 65102.

(A) The application must include a current written description of the program(s) and service(s) for which the organization is seeking certification from the department.

(B) A new applicant shall not use a name which implies a relationship with another organization, government agency, or judicial system when a formal organizational relationship does not exist.

(C) Department staff review each application to determine whether the applicant meets the criteria for certification.

(D) An organization that submits an incomplete application will receive written notice from the department. A complete application must be resubmitted to the department in order to be considered for certification. If the resubmitted application is determined to be incomplete, the organization will receive written notification from the department. The department may deny the applicant from reapplying for a period of up to one (1) year from the date of notification.

(E) A certification fee is required for the Substance Awareness Traffic Offender Program (SATOP). The fee structure is based on the number of individuals served by the agency as follows:

1. The fee is one hundred twenty-five dollars (\$125) if less than two hundred fifty (250) individuals were served by the agency during the prior survey year;

2. The fee is two hundred fifty dollars (\$250) if the agency served at least two hundred fifty (250) individuals but no more than four hundred ninety-nine (499) individuals during the prior survey year;

3. A fee of five hundred dollars (\$500) is required if at least five hundred (500) individuals were served by the agency during the prior survey year.

(F) The SATOP fee schedule may be adjusted annually by the department.

(G) Each organization is responsible for monitoring the expiration date of their certification and applying for renewal of certification. The application form and required documentation must be submitted to the department at least sixty (60) calendar days prior to expiration of the existing certificate.

1. Applications for renewal of certification received after the expiration date or organizations that do not reapply, are subject to termination of certification status and may be required to resubmit an application for certification to the department.

2. Organizations that choose not to renew certification must provide written notification to the department sixty (60) calendar days prior to the expiration date on the certificate.

(H) Organizations may withdraw an application at any time during the certification process, unless otherwise required by law.

(I) The organization agrees, by act of submitting an application,

to allow and assist department representatives in fully and freely conducting any survey procedures and to provide department representatives reasonable and immediate access to premises, individuals, staff, and requested information.

(J) The organization must provide information and documentation to the department that is accurate and complete. Falsification or fabrication of any information used to determine compliance with requirements may be grounds to deny issuance of or to revoke certification.

(8) **Certification Process.** The department grants certification based on its review of an organization's compliance with standards of care for behavioral health services.

(A) For nationally accredited organizations that do not provide opioid treatment—

1. The department may grant a certificate to organizations that have obtained accreditation for services provided from CARF International, The Joint Commission, Council on Accreditation, or other entity recognized by the department. Certification from the department will be equivalent to the period of time granted by the accrediting body.

2. Organizations seeking deemed certification status from the department must complete the application for accredited organizations and submit it to the department. The application must include documentation of current accreditation status, the accrediting body's survey report of findings, and the behavioral health services for which the organization is accredited.

3. The department will review the accrediting body's program accreditation to determine if it is equivalent to the department's program certification. The department, at its option, may visit the organization's program site(s) solely for the purpose of clarifying information contained in the organization's application and its description of programs and services, and/or determining those programs and services eligible for certification by the department.

4. Notice of any change in an organization's accreditation status must be provided in writing to the department within seven (7) calendar days of notification from the accrediting body.

5. The department may rescind certification if an organization loses its accreditation.

(B) For non-accredited organizations, the department will conduct a survey to determine compliance with applicable sections of department certification standards.

1. The department provides advance written notice of routine, planned surveys including date(s), procedures, and an agreed upon schedule of activities. Survey procedures may include, but are not limited to:

A. Interviews with staff, individuals served, and other interested parties;

B. Tour and inspection of program sites;

C. Review of administrative records to verify compliance with requirements;

D. Review of personnel records;

E. Review of service documentation;

F. Observation of program activities; and

G. Review of data regarding practice patterns and outcome measures, as available.

2. The surveyor(s) will hold an entrance and exit conference with staff of the organization to discuss survey arrangements and survey findings, respectively.

3. A surveyor will immediately cite any serious area of non-compliance which could result in actual jeopardy to the safety, health, or welfare of persons served. The surveyor will not leave the program until an acceptable plan of correction is presented by staff which assures the surveyor there is no further risk of jeopardy to persons served.

4. Within thirty (30) calendar days after the exit conference, the department will send a written survey report to the organization's director and governing body president, including any areas

of noncompliance as applicable. The report shall be available for review by staff and the public, upon request.

A. Within thirty (30) calendar days of receipt of a notice of noncompliance, a plan of correction must be submitted to the department.

B. The plan of correction must address each area of non-compliance, action steps to correct each area of noncompliance, staff responsible for each action step, target date for completion, and where and how corrections will be verified.

C. Within fifteen (15) calendar days of receipt of a plan of correction, the department will notify the organization of its decision to approve, disapprove, or require revisions to the proposed plan of correction.

D. At the department's discretion, a follow-up survey may be conducted to review the areas of noncompliance and ensure the organization fully complies with applicable standards of care. The organization will receive advance, written notice of the survey date(s) and procedures.

E. If all areas of noncompliance are corrected and no other deficiencies are found on the follow-up survey, certification may be granted.

F. If all areas of noncompliance are not corrected on the follow-up survey, or new areas of noncompliance are cited, the application for certification will be denied and the organization will be required to reapply for certification by submitting a new application to the department. The department may deny certification to an organization for a period of up to one (1) year from the date of notification of noncompliance.

G. In the event the organization has not submitted an acceptable plan of correction to the department within ninety (90) calendar days of the date of the initial notice of noncompliance, it shall be subject to expiration or denial of certification.

(C) Organizations determined to be in compliance with certification standards may be awarded certification by the department.

1. The department has the authority to determine an organization's time period for certification based on its performance, survey findings, and existing certification status, as applicable.

2. Certification will be valid until the expiration date shown on the certificate issued by the department unless the certificate is modified, revoked, suspended, or the department grants the organization a temporary certification status.

(9) **Certification Status.** The department grants certification on a deemed, temporary, provisional, conditional, or compliance status. In determining certification status, the department considers patterns and trends of performance identified during the survey.

(A) **Deemed status.** Deemed status acknowledges a behavioral health services provider is monitored and held accountable by a recognized national accrediting body and the department accepts the organization's "good standing" as sufficient to meet its standards of care.

(B) **Temporary status.** Temporary certification may be granted to a certified organization if the survey process has not been completed prior to the expiration of an existing certificate and the applicant is not at fault for failure or delay in completing the survey process.

1. The time period for temporary certification is determined by the department based upon progression of the survey process, including situations in which an organization is required to submit a plan of correction to address areas of noncompliance with standards. Consideration will be given to an organization's request for an extension of their existing certificate.

(C) **Provisional status.** The department may grant provisional certification to an organization applying for initial certification when the results of the survey determine the organization has not yet demonstrated full compliance with standards related to ongoing program activities, but is compliant with standards of care related to the following:

1. Governing authority;
2. Policies and procedures;
3. Physical plant and safety; and
4. Personnel and staffing patterns sufficient to provide services.

A. Provisional certification status will not exceed a six (6) month time period. Within six (6) months of granting provisional certification, the department will conduct a comprehensive site survey and make a further determination of the organization's certification status.

(D) Conditional status. Conditional certification may be granted to an organization when survey findings indicate areas of noncompliance with standards that may affect quality of care for individuals served, but there is reasonable expectation the organization can achieve compliance within a stipulated time period.

1. Conditional certification may be granted for a six (6) month time period.

2. The department may monitor progress, require the organization to submit progress reports, or both.

3. The organization will be expected to correct all areas of noncompliance prior to the expiration of the conditional certification status.

4. The department may conduct a follow-up survey prior to expiration of the conditional certification status to review the areas of noncompliance and ensure the organization fully complies with applicable standards of care.

A. If all areas of noncompliance are corrected and no other deficiencies are found, certification may be granted for a one (1) to three (3) year period.

B. If all areas of noncompliance are not corrected on the follow-up survey, or new areas of noncompliance are cited, conditional certification status will expire and the organization will be required to reapply for certification by submitting a new application to the department. The department, at its discretion, may deny the applicant for a period of up to one (1) year from the date of notice of noncompliance.

(E) Compliance status. The department may award compliance status to an organization for a period of one (1) to three (3) years when survey findings indicate the organization meets applicable standards of care.

(F) The department, at its discretion, may issue an extension of an organization's certification status.

(10) Investigations. The department, at its discretion, may investigate any written complaint regarding the operation of a certified program or service.

(11) Scheduled and Unscheduled Surveys. The department may conduct a scheduled or unscheduled survey of an organization at any time to monitor ongoing compliance with applicable standards of care. If any survey finds conditions that are not in compliance with applicable certification standards, the department may require corrective action steps and may change the organization's certification status consistent with procedures set out in this rule.

(12) Organizational Changes. A certificate is the property of the department and applies solely to the organization named in the application. The certificate is valid only as long as the organization meets standards of care and is not transferable to another entity without prior, written approval from the department.

(A) The organization shall keep the certificate issued by the department in a readily available and visible location.

(B) The department must be notified a minimum of thirty (30) calendar days in advance if a certified organization—

1. Is sold or changes ownership;
2. Is discontinued and ceases business operations;
3. Leases some or all operations at its certified address(es) to another entity;

4. Moves to a different location;
5. Appoints a new director; or
6. Changes programs or services offered.

(C) Failure to notify the department as required may result in administrative sanctions or revocation of certification.

(D) A new application for certification is required for a change in ownership and the addition of a program/service which the organization is not certified by the department to provide.

1. In the event of a change in ownership, the organization must be certified under the new ownership prior to beginning operations under the new title.

2. Certification under previous ownership becomes null and void if the new owner(s) fail to submit an application for certification from the department.

3. A certified organization that establishes a new program or type of service must request and obtain certification from the department for the new program or service and comply with applicable standards.

(E) At the discretion of the department, the thirty- (30-) calendar day prior notification required in subsection (12)(B) of this rule may be waived in the event of an emergent or catastrophic situation. In the event of such a situation, the certified organization must provide written notice to the department as soon as possible, but no later than seven (7) calendar days after becoming aware of the need for the change in the organization.

(13) Subcontracts. Certified or deemed organizations may subcontract for services covered under their certificate in accordance with 9 CSR 10-7.090(6).

(14) Denial or Revocation of Certification. The department may deny issuance of and may revoke certification based on a determination that—

(A) The nature of the deficiencies results in substantial probability of or actual jeopardy to individuals being served;

(B) Serious or repeated incidents of abuse, neglect, and/or misuse of funds/property, or violation of individual rights have occurred;

(C) Fraudulent fiscal practices have transpired or significant and repeated errors in billings to the department have occurred;

(D) Information used to determine compliance with requirements was falsified or fabricated;

(E) The nature and extent of deficiencies results in the failure to conform to the basic principles and requirements of the program or service being offered;

(F) Compliance with standards has not been attained by an organization upon expiration of provisional or conditional certification.

(15) Program Monitor. The department, at its discretion, may place a monitor at a program if there is substantial probability of or actual jeopardy to the safety, health, and/or welfare of individuals being served.

(A) The cost of the monitor shall be charged to the organization at a rate which recoups all reasonable expenses incurred by the department.

(B) The department will remove the monitor when a determination is made that the safety, health, and/or welfare of individuals served is no longer at risk.

(C) The department may take other action to ensure and protect the safety, health, and/or welfare of individuals being served.

(16) Appeal Process. An organization which has had certification denied or revoked may appeal to the director of the department within thirty (30) calendar days following receipt of the notice of denial or revocation. The director of the department conducts a hearing under procedures set out in Chapter 536, RSMo, and issues findings of fact, conclusions of law, and a decision which will be final.

(17) **Administrative Sanctions.** The department may impose administrative sanctions.

(A) The department may suspend the certification process pending completion of an investigation when an applicant for certification or staff of the organization are under investigation for fraud, misuse of funds/property, abuse and/or neglect of persons served, or improper clinical practices.

(B) The department may administratively sanction a certified organization that has been found to have committed fraud, misuse of funds/property, abuse and/or neglect of persons served, or improper clinical practices, or had reason to know its staff were engaged in such practices.

(C) Administrative sanctions include, but are not limited to, suspension of certification, clinical review requirements, suspension of new admissions, denial or revocation of certification, or other actions as determined by the department.

(D) The department may refuse to accept an application for certification from an organization for a period of up to twenty-four (24) months if certification is denied or revoked, or the organization has been found to have committed fraud, misuse of funds/property, abuse and/or neglect of persons served, improper clinical practices, or whose staff and/or clinicians were engaged in improper practices.

(E) An organization may appeal these sanctions pursuant to section (16) of this rule.

(18) **Request for Exception.** An organization may request the department's exceptions committee to waive a requirement for certification if the director of the organization provides evidence that a waiver is in the best interest of individuals served.

(A) A request for a waiver must be submitted in accordance with 9 CSR 10-5.210, Exceptions Committee Procedures.

AUTHORITY: sections 630.050 and 630.055, RSMo [2000] 2016. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed Sept. 25, 2002, effective April 30, 2003. Amended: Filed March 3, 2003, effective Sept. 30, 2003. Amended: Filed Nov. 5, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the Missouri Register. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2110—Missouri Dental Board
Chapter 2—General Rules**

PROPOSED RULE

20 CSR 2110-2.250 Prescribing Opioids

PURPOSE: This rule provides for regulation of prescriptions for opioid pain medication.

(1) Dentists shall consider non-opioid medications and therapies for treatment of mild to moderate acute dental pain prior to prescribing an opioid controlled substance. Options for non-opioid treatments shall be discussed with the patient and the patient advised of the risks associated with opioid related treatments and the discussion documented in the patient's dental record.

(2) Before prescribing an opioid controlled substance to a patient experiencing dental pain, a dentist shall assess the patient for potential opioid use disorder. At a minimum, this should include collecting and maintaining a thorough medical history of the patient including any history of substance abuse disorders, mental health conditions, or sleep-disordered breathing. Dentists shall thoroughly discuss and document in the patient's record any medications the patient may be receiving from any other healthcare providers.

(3) A dentist shall not issue an initial prescription for more than a seven- (7-) day supply of any opioid controlled substance for treatment of a patient's acute pain. A dentist may not issue any renewal, refill, or new prescription for an opioid controlled substance for treatment of the same acute pain without first performing an examination of the patient to determine the need and appropriateness of the renewal, refill, or new prescription. Any appropriate renewals, refills, or new prescriptions of opioids for treatment of the same acute pain shall also be limited to a seven- (7-) day supply and shall be in compliance with the general provisions of Chapters 195 and 579. If, in the professional judgment of the dentist, more than a seven- (7-) day supply is required to treat the patient's acute pain, the dentist may issue a prescription for the quantity needed to treat the patient, provided that the dentist shall document in the patient's dental record the reason for the necessity for more than a seven- (7-) day supply and that a non-opioid alternative was not appropriate to address the patient's condition.

AUTHORITY: section 332.031, RSMo 2016. Emergency rule filed Nov. 7, 2018, effective Nov. 17, 2018, expires May 15, 2019. Original rule filed Nov. 7, 2018.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Dental Board, PO Box 1367, Jefferson City, MO 65102, by facsimile at (573) 751-8216, or via email at dental@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2210—State Board of Optometry
Chapter 2—General Rules**

PROPOSED AMENDMENT

20 CSR 2210-2.020 Licensure by Examination. The board is amending section (4).

PURPOSE: This amendment ensures the relevancy of the Board's Licensure by Examination process by ensuring that competency examinations are taken in a timely manner.

(4) All applicants for a license as an optometrist shall pass all parts of the examination administered by the National Board of Examiners in Optometry (NBEO) **within three (3) years prior to licensure**. Each applicant also shall pass an examination on Missouri Optometric law with a score of seventy-five percent (75%) or greater within one (1) year prior to licensure.

AUTHORITY: sections 336.050[, 336.160.1,] and 336.220.1, RSMo [Supp. 2007] 2016, and section 336.160.1, RSMo Supp. 2018. This rule originally filed as 4 CSR 210-2.020. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities approximately two thousand one hundred dollars (\$2,100) quinquennially for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Optometry, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-8216, or via email at optometry@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 -Department of Insurance, Financial Institutions and Professional Registration

Division 2210 - State Board of Optometry

Chapter 2 - General Rules

Proposed Rule 20 CSR 2070-2.020 Licensure by Examination

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
1	National Board Exam (Exam Fee @ \$2,100)	\$2,100.00
	Estimated Quinquennial Cost of Compliance for the Life of the Rule	\$2,100.00

III. WORKSHEET

See table above.

IV. ASSUMPTION

1. The board anticipates that approximately 1 applicant every five years will have to retake the National Board Exam.
2. It is anticipated that the total cost will recur biennially for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2231—Division of Professional Registration
Chapter 3—Modified Application and Renewal
Procedures of the Division**

PROPOSED RULE

20 CSR 2231-3.010 Fee Waiver for Military Families and Low-Income Individuals

PURPOSE: This rule complies with section 324.015.6, RSMo, which requires the Division of Professional Registration to promulgate rules to implement the provisions of section 324.015, RSMo, the waiver of occupational fees for military families and low-income individuals for a period of two (2) years.

(1) For purposes of this regulation, all terms shall have the same definition as contained in section 324.015.1, RSMo.

(2) Individuals seeking a waiver must apply to the respective licensing authority within the Division of Professional Registration in writing and include documentation that establishes eligibility for the waiver pursuant to 324.015, RSMo.

AUTHORITY: section 324.015, RSMo Supp. 2018. Emergency rule filed Nov. 7, 2018, effective Nov. 17, 2018, expires May 15, 2019. Original rule filed Nov. 7, 2018.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions approximately one hundred one thousand eight hundred fifty dollars (\$101,850) to three million fifty-five thousand five hundred dollars (\$3,055,500) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed rule will save private entities one hundred one thousand eight hundred fifty dollars (\$101,850) to three million fifty-five thousand five hundred dollars (\$3,055,500) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Division of Professional Registration, Katie Steele Danner, Division Director, PO Box 1335, Jefferson City, MO 65102, or via email at profreg@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 -Department of Insurance, Financial Institutions and Professional Registration
Division 2231 - Division of Professional Registration
Chapter 3 - Fee Waiver for Military Families and Low-Income
Proposed Amendment to 20 CSR 2231-3.010 Fee Waiver for Military Families and Low-Income

II. SUMMARY OF FISCAL IMPACT

Estimated Fiscal Impact

Affected Agency or Political Subdivision	Estimated Revenue	
Funds within the Division of Professional Registration and its licensing boards		(S101,850)
		to
		(S3,055,500)
	Estimated Loss of Revenue	(S101,850)
	Annually for the Life of the Rule	to
		(S3,055,500)

III. WORKSHEET

See Private Entity Fiscal Note

IV. ASSUMPTION

1. The total loss of revenue is based on the cost savings reflected in the Private Entity Fiscal Note filed with this amendment.
2. While the exact fiscal impact would be unknown and depend upon how many Division licensees qualify as military families and low-income individuals and how many of those individuals who do qualify would be aware of and apply for waiver, the department has prepared a fiscal estimate based upon 2016 US Census data which indicates 7% of Missourians are veterans and the 14% of Missourians are in poverty. When applying these percentages to department licensees as potential waivers, it is estimated 20% of those applying for a license will seek a waiver authorized by this rule.
3. The division utilizes a rolling five year financial analysis process to evaluate its fund balances, establish fee structure, and assess budgetary needs. The five year analysis is based on the projected revenue, expenses, and number of licensees.
4. It is anticipated that the total decrease in revenue will recur for the life of the rule, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 -Department of Insurance, Financial Institutions and Professional Registration

Division 2231 - Division of Professional Registration

Chapter 3 - Fee Waiver for Military Families and Low-Income

Proposed Amendment to 20 CSR 2231-3.010 Fee Waiver for Military Families and Low-Income

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
10,185	Military Family Applicants	\$101,850
	Low-Income Applicants (Waived Fee @ \$10 to \$500)	to \$3,055,500
	Estimated Annual Cost Savings for the Life of the Rule	\$101,850 to \$3,055,500

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. While the exact fiscal impact would be unknown and depend upon how many Division licensees qualify as military families and low-income individuals and how many of those individuals who do qualify would be aware of and apply for waiver, the division has prepared a fiscal estimate based upon 2016 US Census data which indicates 7% of Missourians are veterans and the 14% of Missourians are in poverty. When applying these percentages to division licensees as potential waivers, it is estimated 20% of those might apply for a license and will seek a waiver authorized by this rule. In 2017 50,927 applications were received and 20% of that number is 10,185.
2. It is anticipated that the total fiscal savings will recur for the life of the rule, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2232—Missouri State Committee of Interpreters
Chapter 1—General Rules**

PROPOSED AMENDMENT

20 CSR 2232-1.040 Fees. The committee is amending section (1).

PURPOSE: This amendment reduces the renewal and reactivation fees and adds a verification fee.

(1) The following fees are established and are payable in the form of a cashier's check, personal check, or money order:

(B) Annual License Renewal Fee	[\$ 90] \$60
1. Effective December 1, 2018 through November 30, 2019	\$40
(E) Reactivation Fee	[\$ 60] \$30
1. Effective December 1, 2018 through November 30, 2019	\$10
(J) Verification of License Fee	\$10

AUTHORITY: sections 209.328.2(2)[,] and 324.039, [RSMo 2000, and sections 43.543 and 324.039,] RSMo [Supp. 2013] 2016, and section 43.543, RSMo Supp. 2018. This rule originally filed as 4 CSR 232-1.040. Original rule filed Feb. 18, 1999, effective July 30, 1999. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Nov. 7, 2018, effective Nov. 17, 2018, expires May 15, 2019. Amended: Filed Nov. 7, 2018.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions approximately thirty-eight thousand five hundred dollars (\$38,500) from December 1, 2018 through November 30, 2019 and twenty-three thousand five hundred forty (\$23,540) beginning December 1, 2019 and annually thereafter for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed amendment will save private entities thirty-eight thousand five hundred dollars (\$38,500) from December 1, 2018 through November 30, 2019 and twenty-three thousand five hundred forty (\$23,540) beginning December 1, 2019 and annually thereafter for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Committee of Interpreters, Pam Groose, Executive Director, PO Box 1335, Jefferson City, MO 65102, by fax to 573-526-0661, or via email at interpreters@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 -Department of Insurance, Financial Institutions and Professional Registration
 Division 2232—Missouri State Committee of Interpreters
 Chapter 1 - General Rules
 Proposed Amendment to 20 CSR 2232-1.040 - Fees

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Loss of Revenue	
Missouri State Committee of Interpreters	(\$38,500)	
	Estimated Decreased Revenue Effective December 1, 2018 through November 30, 2019	(\$38,500)

Affected Agency or Political Subdivision	Estimated Loss of Revenue	
Missouri State Committee of Interpreters	(\$23,540)	
	Estimated Decreased Revenue Beginning December 1, 2019 and Continuing Annually for the Life of the Rule	(\$23,540)

III. WORKSHEET

See Private Entity Fiscal Note

IV. ASSUMPTION

1. The total loss of revenue is based on the cost savings to private entities reflected in the Private Fiscal Note filed with this rule.
2. The board utilizes a rolling five-year financial analysis process to evaluate its fund balance, establish fee structure, and assess budgetary needs. The five-year analysis is based on the projected revenue, expenses, and number of licensees. Based on the board's recent five-year analysis, the board voted on a reduction in annual renewal fees and the reactivation fee.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 -Department of Insurance, Financial Institutions and Professional Registration
Division 2232—Missouri State Committee of Interpreters
Chapter 1 - General Rules
Proposed Amendment to 20 CSR 2232-1.040 - Fees

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated savings for the life of the rule by affected entities:
772	Annual License Renewal Fee (Fee Decrease @ \$50)	(\$38,600)
3	Reactivation Fee (Fee Decrease @ \$50)	(\$150)
25	Verification of License Fee (Fee @ \$10)	\$250
Estimated Cost of Compliance Effective December 1, 2018 through November 30, 2019		(\$38,500)

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated savings for the life of the rule by affected entities:
790	Annual License Renewal Fee (Fee Decrease @ \$30)	(\$23,700)
3	Reactivation Fee (Fee Decrease @ \$30)	(\$90)
25	Verification of License Fee (Fee @ \$10)	\$250
Estimated Cost of Compliance Beginning December 1, 2019 and Continuing Annually for the Life of the Rule		(\$23,540)

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The above figures are based on FY 2019 projections.
2. It is anticipated that the total fiscal costs will occur beginning in FY2019, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 1—Organization and Description**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 536.023, RSMo 2016, the director amends a rule as follows:

2 CSR 70-1.010 General Organization is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1549–1550). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 10—Missouri Plant Law Rules**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 263.040, RSMo 2016, the director amends a rule as follows:

2 CSR 70-10.080 Certification Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1550–1554). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 11—Missouri Plant Law Quarantines**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under sections 263.040 and 263.050, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-11.020 Japanese Beetle Intrastate Quarantine
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1554). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 11—Missouri Plant Law Quarantines**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 263.040, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-11.030 Pink Bollworm Intrastate Quarantine
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1554–1555). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 11—Missouri Plant Law Quarantines**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under sections 263.040, 263.050, and 263.180, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-11.050 Emerald Ash Borer Intrastate Quarantine
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1555). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 12—Sustainable Agriculture**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 536.014, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-12.010 Sustainable Agriculture Demonstration Awards
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1555). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 15—Missouri Apiary Law Rules**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 264.095, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-15.035 Elimination of American Foulbrood Disease
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1555). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 15—Missouri Apiary Law Rules**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 264.095, RSMo 2016, the director amends a rule as follows:

**2 CSR 70-15.045 Control of Apiary Arthropod Pests and
Diseases is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1555–1556). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 16—Missouri Department of Agriculture
Organic Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 261.110, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-16.010 Definitions of the Missouri Department of
Agriculture Organic Program is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1556). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 16—Missouri Department of Agriculture
Organic Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 261.110, RSMo 2016, the director rescinds a rule as follows:

2 CSR 70-16.015 The Adoption of NOP Standards is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1556). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 16—Missouri Department of Agriculture
Organic Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 261.110, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-16.020 MDA Organic Program Advisory Board
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1556). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 16—Missouri Department of Agriculture
Organic Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 261.110, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-16.025 Procedures for Organic Certification
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1556–1557). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 16—Missouri Department of Agriculture
Organic Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 261.110, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-16.030 Records to be Maintained for Certification
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1557). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 16—Missouri Department of Agriculture
Organic Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 261.110, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-16.035 Inspections and Sampling for Certification
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1557). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 16—Missouri Department of Agriculture
Organic Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 261.110, RSMo 2016, the director rescinds a rule as follows:

2 CSR 70-16.040 Complaints and Investigations is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1557). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 16—Missouri Department of Agriculture
Organic Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 261.110, RSMo 2016, the director rescinds a rule as follows:

2 CSR 70-16.045 Compliance Enforcement is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1558). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 16—Missouri Department of Agriculture
Organic Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 261.110, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-16.050 Certificates Issued as Result of Certification with
the MDA Organic Program is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg

1558). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 16—Missouri Department of Agriculture
Organic Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 261.110, RSMo 2016, the director rescinds a rule as follows:

2 CSR 70-16.055 MDA Organic Program Seal is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1558). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 16—Missouri Department of Agriculture
Organic Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 261.110, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-16.060 Registration with the MDA Organic Program
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1558-1559). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 16—Missouri Department of Agriculture
Organic Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 261.110, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-16.065 Inspection and Sampling for Registration
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg

1559). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 16—Missouri Department of Agriculture
Organic Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 261.110, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-16.070 Marketing When Registered with the MDA
Organic Program is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1559). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 16—Missouri Department of Agriculture
Organic Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 261.110, RSMo 2016, the director rescinds a rule as follows:

**2 CSR 70-16.075 Organic Certifying Agent Registration
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1559). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 25—Pesticides**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 281.025, RSMo 2016, the director withdraws a rule as follows:

**2 CSR 70-25.070 Requirements for Certified Commercial
Applicators or Public Operators in Structural Pest Control
is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg

1559–1560). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: The proposed rescission of 2 CSR 70-25.070 was removed from consideration prior to the planned September 5, 2018, public hearing. Recent federal regulation changes that will impact this rule are being considered and will direct any future proposals.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 35—Seed Regulation**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 266.091, RSMo 2016, the director amends a rule as follows:

2 CSR 70-35.010 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1560). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 35—Seed Regulation**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 266.091, RSMo 2016, the director rescinds a rule as follows:

2 CSR 70-35.031 Licensing is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1560). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 40—Missouri Treated Timber Products Law
Rules**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 280.050, RSMo 2016, the director withdraws a rule as follows:

2 CSR 70-40.005 Treated Timber Definitions is withdrawn.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1560–1561). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: No formal comments were received. The department has decided against formal rulemaking at this time.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 40—Missouri Treated Timber Products Law
Rules**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 280.050, RSMo 2016, the director withdraws a rule as follows:

2 CSR 70-40.015 Standards for Treated Timber is withdrawn.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1561). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: No formal comments were received. The department has decided against formal rulemaking at this time.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 40—Missouri Treated Timber Products Law
Rules**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 280.050, RSMo 2016, the director withdraws a rule as follows:

**2 CSR 70-40.016 Producers to Follow Pesticide Label
is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1561). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: No formal comments were received. The department has decided against formal rulemaking at this time.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 40—Missouri Treated Timber Products Law
Rules**

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 280.050, RSMo 2016, the director withdraws a rule as follows:

**2 CSR 70-40.017 Preservatives Required to be Registered
Pesticides is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1561). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: No formal comments were received. The department has decided against formal rulemaking at this time.

Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 40—Missouri Treated Timber Products Law
Rules

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 280.050, RSMo 2016, the director withdraws a rule as follows:

2 CSR 70-40.025 Standards for Inspection, Sampling and Analyses **is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1561-1562). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: No formal comments were received. The department has decided against formal rulemaking at this time.

Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 40—Missouri Treated Timber Products Law
Rules

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 280.050, RSMo 2016, the director withdraws a rule as follows:

2 CSR 70-40.040 Branding of Treated Timber **is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1562). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: No formal comments were received. The department has decided against formal rulemaking at this time.

Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 40—Missouri Treated Timber Products Law
Rules

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 280.050, RSMo 2016, the director withdraws a rule as follows:

2 CSR 70-40.050 Requirements for Treated Timber Invoices and Manifests **is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1562). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: No formal comments were received. The department has decided against formal rulemaking at this time.

Title 2—DEPARTMENT OF AGRICULTURE
Division 70—Plant Industries
Chapter 40—Missouri Treated Timber Products Law
Rules

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 280.050, RSMo 2016, the director withdraws a rule as follows:

2 CSR 70-40.055 Sale or Distribution of Wood Products Similar in Appearance to Treated Timber—Identification—Penalties **is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1562). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: No formal comments were received. The department has decided against formal rulemaking at this time.

Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 10—Liquefied Petroleum Gases

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 536.023, RSMo 2016, the department rescinds a rule as follows:

2 CSR 90-10.016 Meters for Measurement—Specifications and Proving **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2018 (43 MoReg 1998). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Weights, Measures and Consumer Protection Division Director received no comments on the proposed rescission.

Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 11—Anhydrous Ammonia

ORDER OF RULEMAKING

By the authority vested in the Department of Agriculture under section 536.023, RSMo 2016, the department amends a rule as follows:

2 CSR 90-11.010 ANSI K61.1-1999, Safety Requirements for the Storage and Handling of Anhydrous Ammonia **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 1998-1999). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Weights, Measures and Consumer Protection Division Director received one (1) comment on the proposed amendment.

COMMENT #1: Steven Taylor, with Missouri Agribusiness Association (MO-AG) supports the proposed rulemaking regarding 2 CSR 90-11.010. By adopting a more recent version of the ANSI K61.1 standard, this proposed rulemaking is consistent with current

state law.

RESPONSE: No changes have been made to the amendment as a result of this comment.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 20—Method of Sale for Products**

ORDER OF RULEMAKING

By the authority vested in the Weights, Measures and Consumer Protection Division under section 414.142, RSMo 2016, the director amends a rule as follows:

2 CSR 90-20.040 *NIST Handbook 130*, “Uniform Regulation for the Method of Sale of Commodities” **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 1999). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 21—Weighing and Measuring Devices**

ORDER OF RULEMAKING

By the authority vested in the Weights, Measures and Consumer Protection Division under section 414.142, RSMo 2016, the director amends a rule as follows:

2 CSR 90-21.010 Registration of Servicepersons and Service Agencies **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 1999–2001). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 22—Packaging and Labeling**

ORDER OF RULEMAKING

By the authority vested in the Weights, Measures and Consumer Protection Division under section 414.142, RSMo 2016, the director amends a rule as follows:

2 CSR 90-22.140 *NIST Handbook 130*, “Uniform Packaging and Labeling Regulation” **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on

August 1, 2018 (43 MoReg 2001). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Weights, Measures and Consumer Protection Division Director received no comments on the proposed amendment.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 23—Inspection of Packaged Commodities**

ORDER OF RULEMAKING

By the authority vested in the Weights, Measures and Consumer Protection Division under section 414.142, RSMo 2016, the director amends a rule as follows:

2 CSR 90-23.010 *NIST Handbook 133*, Technical Procedures and Methods for Measuring and Inspecting Packages or Amounts of Commodities **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2001–2002). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Weights, Measures and Consumer Protection Division Director received no comments on the proposed amendment.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 25—Price Verification**

ORDER OF RULEMAKING

By the authority vested in the Weights, Measures and Consumer Protection Division under section 414.142, RSMo 2016, the director amends a rule as follows:

2 CSR 90-25.010 Price Verification Procedures **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2002). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Weights, Measures and Consumer Protection Division Director received no comments on the proposed amendment.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 30—Petroleum Inspection**

ORDER OF RULEMAKING

By the authority vested in the Weights, Measures and Consumer Protection Division under section 414.142, RSMo 2016, the director amends a rule as follows:

2 CSR 90-30.050 Inspection of Premises is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2002–2004). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Weights, Measures and Consumer Protection Division Director received no comments on the proposed amendment.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 30—Petroleum Inspection**

ORDER OF RULEMAKING

By the authority vested in the Weights, Measures and Consumer Protection Division under section 414.142, RSMo 2016, the director amends a rule as follows:

2 CSR 90-30.070 Unattended Self-Service Stations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2004–2005). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Weights, Measures and Consumer Protection Division Director received no comments on the proposed amendment.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 30—Petroleum Inspection**

ORDER OF RULEMAKING

By the authority vested in the Weights, Measures and Consumer Protection Division under section 414.142, RSMo 2016, the director amends a rule as follows:

2 CSR 90-30.080 Measuring Devices is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2005–2006). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Weights, Measures and Consumer Protection Division Director received no comments on the proposed amendment.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 30—Petroleum Inspection**

ORDER OF RULEMAKING

By the authority vested in the Weights, Measures and Consumer Protection Division under section 414.142, RSMo 2016, the director amends a rule as follows:

2 CSR 90-30.090 Tank Trucks and Tank Wagons is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2006). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Weights, Measures and Consumer Protection Division Director received no comments on the proposed amendment.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 30—Petroleum Inspection**

ORDER OF RULEMAKING

By the authority vested in the Weights, Measures and Consumer Protection Division under section 414.142, RSMo 2016, the director amends a rule as follows:

2 CSR 90-30.100 Terminals is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2006–2007). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Weights, Measures and Consumer Protection Division Director received no comments on the proposed amendment.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 36—Egg Quality Program**

ORDER OF RULEMAKING

By the authority vested in the Weights, Measures and Consumer Protection Division under section 414.142, RSMo 2016, the director amends a rule as follows:

**2 CSR 90-36.010 Enforcement of Missouri Egg Laws
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on

August 1, 2018 (43 MoReg 2007–2012). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Weights, Measures and Consumer Protection Division Director received no comments on the proposed amendment.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 2—Beginning Farmer Loan Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small Business Development Authority under section 348.075, RSMo 2016, the authority rescinds a rule as follows:

2 CSR 100-2.010 Definitions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1563). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 2—Beginning Farmer Loan Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small Business Development Authority under section 348.075, RSMo 2016, the authority withdraws a proposed rescission as follows:

**2 CSR 100-2.020 Applicant Eligibility Requirements
is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1563). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: The Office of the Governor did not approve the submission of this rescission.

RESPONSE: As a result, the authority is withdrawing this rulemaking.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 2—Beginning Farmer Loan Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small Business Development Authority under section 348.075, RSMo 2016, the authority withdraws a proposed rescission as follows:

**2 CSR 100-2.030 Time and Manner of Filing Application
is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1563). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: The Office of the Governor did not approve the submission of this rescission.

RESPONSE: As a result, the authority is withdrawing this rulemaking.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 2—Beginning Farmer Loan Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small Business Development Authority under section 348.075, RSMo 2016, the authority withdraws a proposed rescission as follows:

2 CSR 100-2.040 Fees is withdrawn.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1563). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: The Office of the Governor did not approve the submission of this rescission.

RESPONSE: As a result, the authority is withdrawing this rulemaking.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 2—Beginning Farmer Loan Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small Business Development Authority under section 348.075, RSMo 2016, the authority withdraws a proposed rescission as follows:

**2 CSR 100-2.050 Conditions for Execution of Agricultural and
Small Business Development Authority Agreement is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1564). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: The Office of the Governor did not approve the submission of this rescission.

RESPONSE: As a result, the authority is withdrawing this rulemaking.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 3—Conservation Reserve Enhancement Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small Business Development Authority under section 536.023, RSMo 2016, the authority rescinds a rule as follows:

2 CSR 100-3.010 General Organization is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1564). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 3—Conservation Reserve Enhancement Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small Business Development Authority under section 536.023, RSMo 2016, the authority rescinds a rule as follows:

2 CSR 100-3.020 Definitions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1564). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 3—Conservation Reserve Enhancement Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small Business Development Authority under section 536.023, RSMo 2016, the authority rescinds a rule as follows:

**2 CSR 100-3.030 Criteria Relating to Participating Borrowers,
Participating Lenders and Agricultural Development Loans
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1564). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 3—Conservation Reserve Enhancement Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small

Business Development Authority under section 536.023, RSMo 2016, the authority rescinds a rule as follows:

**2 CSR 100-3.040 Procedure for the Purchase or Participation of
Eligible Loans is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1565). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 3—Conservation Reserve Enhancement Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small Business Development Authority under section 536.023, RSMo 2016, the authority rescinds a rule as follows:

2 CSR 100-3.050 Amendments is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1565). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 4—Small Business Development Loan Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small Business Development Authority under section 348.075, RSMo 2016, the authority rescinds a rule as follows:

2 CSR 100-4.010 General Organization is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1565). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 4—Small Business Development Loan Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small

Business Development Authority under section 348.075, RSMo 2016, the authority rescinds a rule as follows:

2 CSR 100-4.020 Definitions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1565). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 4—Small Business Development Loan Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small Business Development Authority under section 348.075, RSMo 2016, the authority rescinds a rule as follows:

**2 CSR 100-4.030 Criteria Relating to Participating Borrowers,
Participating Lenders and Small Business Loans is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1566). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 4—Small Business Development Loan Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small Business Development Authority under section 536.023, RSMo 2016, the authority rescinds a rule as follows:

**2 CSR 100-4.040 Procedure for the Purchase or Participation of
Eligible Loans is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1566). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 4—Small Business Development Loan Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small

Business Development Authority under section 348.075, RSMo 2016, the authority rescinds a rule as follows:

2 CSR 100-4.050 Amendments is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1566). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 10—New Generation Cooperative Incentive Tax
Credit Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Agricultural and Small Business Development Authority under section 348.432, RSMo 2016, the authority amends a rule as follows:

**2 CSR 100-10.010 Description of Operation, Definitions, and
Method of Distribution and Repayment of Tax Credits
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1566–1567). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-3.110 Filing Requirements for Electric Utility
Applications for Authority to Sell, Assign, Lease or Transfer
Assets is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1567). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the

hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-3.115 Filing Requirements for Electric Utility
Applications for Authority to Merge or Consolidate
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1567). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-3.120 Filing Requirements for Electric Utility
Applications for Authority to Issue Stock, Bonds, Notes and
Other Evidences of Indebtedness is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1567–1568). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective

thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-3.125 Filing Requirements for Electric Utility
Applications for Authority to Acquire the Stock of a Public
Utility is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1568). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, and section 386.266, RSMo 2016 and RSMo Supp. 2018, the commission rescinds a rule as follows:

4 CSR 240-3.161 Electric Utility Fuel and Purchased Power Cost Recovery Mechanisms Filing and Submission Requirements **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 2, 2018 (43 MoReg 1423–1424). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 6, 2018, and the commission held a public hearing on the proposed rescission on August 13, 2018. The commission did not receive any written comments about the rescission, and no one offered a comment about the rescission at the public hearing.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.165 Annual Report Submission Requirements for Electric Utilities **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1568–1569). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.210 Filing Requirements for Gas Utility Applications for Authority to Sell, Assign, Lease or Transfer Assets **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1569). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.215 Filing Requirements for Gas Utility Applications for Authority to Merge or Consolidate **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1569). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.220 Filing Requirements for Gas Utility Applications for Authority to Issue Stock, Bonds, Notes and Other Evidences of Indebtedness **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1569–1570). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.
RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.
RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.225 Filing Requirements for Gas Utility Applications for Authority to Acquire the Stock of a Public Utility **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1570). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.245 Annual Report Submission Requirements for Gas Utilities **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1570). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.
RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.
RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.270 Submission Requirements Regarding Plans, Procedures and Programs for the Transportation of Natural Gas by Pipeline **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1571). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 20, 2018. The commission received timely written comments in support of the rescission from the staff of the commission and comments at the hearing in support of the rescission from Jeff Keevil, Deputy Counsel, on behalf of the staff of the commission, and Hampton Williams, Public Counsel, on behalf of the Office of the Public Counsel.

COMMENT #1: Mr. Keevil on behalf of the staff of the commission filed general comments supporting the rescission of this rule and its transfer of its provisions into 4 CSR 240-40. Mr. Keevil stated that this rulemaking was undertaken in response to Executive Order 17-03 and is being proposed in order to consolidate, streamline, and improve the user-friendliness of the commission's regulations.

RESPONSE: The commission appreciates its staff's dedication to improving the regulatory process at the commission and in the state of Missouri. No change was made as a result of this comment.

COMMENT #2: Mr. Williams on behalf of the Office of the Public Counsel commented at the hearing in support of rescinding this rule.

RESPONSE: The commission thanks the Office of the Public Counsel for its participation. No change was made as a result of this comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.280 Submission Requirements Regarding Gas Utility Written Drug and Alcohol Testing Plans is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1571). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 20, 2018. The commission received timely written comments in support of the rescission from the staff of the commission and comments at the hearing in support of the rescission from Jeff Keevil, Deputy Counsel, on behalf of the staff of the commission, and Hampton Williams, Public Counsel, on behalf of the Office of the Public Counsel.

COMMENT #1: Mr. Keevil on behalf of the staff of the commission filed general comments supporting the rescission of this rule and its transfer of its provisions into 4 CSR 240-40. Mr. Keevil stated that this rulemaking was undertaken in response to Executive Order 17-03 and is being proposed in order to consolidate, streamline, and improve the user-friendliness of the commission's regulations.

RESPONSE: The commission appreciates its staff's dedication to improving the regulatory process at the commission and in the state of Missouri. No change was made as a result of this comment.

COMMENT #2: Mr. Williams on behalf of the Office of the Public Counsel commented at the hearing in support of rescinding this rule.

RESPONSE: The commission thanks the Office of the Public

Counsel for its participation. No change was made as a result of this comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.290 Submission Requirements Regarding Gas Utility Incident, Annual and Safety-Related Condition Reports is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1571-1572). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 20, 2018. The commission received timely written comments in support of the rescission from the staff of the commission and comments at the hearing in support of the rescission from Jeff Keevil, Deputy Counsel, on behalf of the staff of the commission, and Hampton Williams, Public Counsel, on behalf of the Office of the Public Counsel.

COMMENT #1: Mr. Keevil on behalf of the staff of the commission filed general comments supporting the rescission of this rule and its transfer of its provisions into 4 CSR 240-40. Mr. Keevil stated that this rulemaking was undertaken in response to Executive Order 17-03 and is being proposed in order to consolidate, streamline, and improve the user-friendliness of the commission's regulations.

RESPONSE: The commission appreciates its staff's dedication to improving the regulatory process at the commission and in the state of Missouri. No change was made as a result of this comment.

COMMENT #2: Mr. Williams on behalf of the Office of the Public Counsel commented at the hearing in support of rescinding this rule.

RESPONSE: The commission thanks the Office of the Public Counsel for its participation. No change was made as a result of this comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.295 Submission Requirements Regarding Gas Utility Written Procedures for Conversion of Service and Upgrading is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1572). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 20, 2018. The commission received timely written comments in support of the rescission from the staff of the commission and comments at the hearing in support of the rescission from Jeff Keevil, Deputy Counsel, on behalf of the staff of the commission, and Hampton Williams, Public Counsel, on behalf of the Office of the Public Counsel.

COMMENT #1: Mr. Keevil on behalf of the staff of the commission filed general comments supporting the rescission of this rule and its transfer of its provisions into 4 CSR 240-40. Mr. Keevil stated that this rulemaking was undertaken in response to Executive Order 17-03 and is being proposed in order to consolidate, streamline, and improve the user-friendliness of the commission's regulations.

RESPONSE: The commission appreciates its staff's dedication to improving the regulatory process at the commission and in the state of Missouri. No change was made as a result of this comment.

COMMENT #2: Mr. Williams on behalf of the Office of the Public Counsel commented at the hearing in support of rescinding this rule.

RESPONSE: The commission thanks the Office of the Public Counsel for its participation. No change was made as a result of this comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.310 Filing Requirements for Sewer Utility Applications for Authority to Sell, Assign, Lease or Transfer Assets **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1572). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.315 Filing Requirements for Sewer Utility Applications for Authority to Merge or Consolidate **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1572–1573). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.320 Filing Requirements for Sewer Utility Applications for Authority to Issue Stock, Bonds, Notes and Other Evidences of Indebtedness **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1573). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-3.325 Filing Requirements for Sewer Utility
Applications for Authority to Acquire the Stock of a Public
Utility is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1573). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-3.335 Annual Report Submission Requirements for
Sewer Utilities is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1574). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the

proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-3.405 Filing Requirements for Steam Heating Utility
Applications for Authority to Sell, Assign, Lease or Transfer
Assets is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1574). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-3.410 Filing Requirements for Steam Heating Utility
Applications for Authority to Merge or Consolidate is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg

1574–75). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.415 Filing Requirements for Steam Heating Utility Applications for Authority to Issue Stock, Bonds, Notes and Other Evidences of Indebtedness **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1575). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sec-

tion 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.420 Filing Requirements for Steam Heating Utility Applications for Authority to Acquire the Stock of a Public Utility **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1575). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.435 Annual Report Submission Requirements for Steam Heating Utilities **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1575–1576). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.605 Filing Requirements for Water Utility Applications for Authority to Sell, Assign, Lease or Transfer Assets **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1576). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.610 Filing Requirements for Water Utility Applications for Authority to Merge or Consolidate **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1576–1577). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.615 Filing Requirements for Water Utility Applications for Authority to Issue Stock, Bonds, Notes and Other Evidences of Indebtedness **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1577). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-3.620 Filing Requirements for Water Utility Applications for Authority to Acquire the Stock of a Public Utility **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1577). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-3.640 Annual Report Submission Requirements for
Water Utilities is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1577–1578). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rescission on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rescission.

RESPONSE: The commission agrees and will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 10—Utilities**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, and 393.140, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-10.085 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 2, 2018 (43 MoReg 1424–1425). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 1, 2018, and the commission held a public hearing on the proposed rule on August 7, 2018. The commission received timely written comments from Liberty Utilities (Missouri Water) LLC, Missouri-American Water Company, the Office of the Public Counsel and the staff of the commission. Jacob Westen, representing the commission's staff, Ryan Smith representing the Office of the Public Counsel, and Dean Cooper representing Missouri-American, as well as Cheryl Norton, Brian LaGrand, and Jim Jenkins on behalf of Missouri-American, appeared at the hearing and offered comments.

COMMENT #1: Public Counsel questions the purpose statement of the rule, suggesting it should be clarified to make clear that the rule applies to “capable utilities” as that term is used in section 393.146, RSMo, which was cited by the commission as authority for this rulemaking.

RESPONSE: As will be discussed in response to Comment No. 24, the commission has concluded that section 393.146, RSMo is not what provides authority for this rulemaking. As a result, there is no reason to modify the purpose statement of this rule to match the language of that statute. No change will be made in response to this comment.

COMMENT #2: Public Counsel recommends the multiple definitions contained in section 4 CSR 240-10.085(1) be placed in alphabetical order for clarity.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the proposed clarification and will re-designate the definitions in section 4 CSR 240-10.085(1) in alphabetical order.

COMMENT #3: Missouri-American suggests an “or” be inserted between paragraphs 4 CSR 240-10.085(1)(A)1. and 2. to make it clear that a system can be found to be non-viable by meeting any one of these four items, referring to paragraphs 4 CSR 240-10.085(1)(A)1.–4.

RESPONSE: Missouri-American is correct that a system can be found to be non-viable if it meets any one (1) of the four (4) listed criteria. However, the “or” between paragraphs 4 CSR 240-10.085(1)(A)3. and 4. is grammatically sufficient to establish that fact. No change will be made in response to this comment.

COMMENT #4: Public Counsel suggests a definition of “capable utility” be added to section 4 CSR 240-10.085(1) to better match the provisions of section 393.146, RSMo, which was cited by the commission as authority for this rulemaking.

RESPONSE: As will be discussed in response to Comment No. 24, the commission has concluded that section 393.146, RSMo is not what provides authority for this rulemaking. As a result, there is no reason to modify the definitions section of this rule to match the language of that statute. No change will be made in response to this comment.

COMMENT #5: Public Counsel suggests the definition of nonviable utility found in subsection 4 CSR 240-10.085(1)(A) be modified to limit its application to small utilities. The commission's staff concurs in that comment.

RESPONSE AND EXPLANATION OF CHANGE: The commission will modify the rule to limit the definition of nonviable utility to small utilities serving eight thousand (8,000) or fewer customers.

COMMENT #6: Paragraph 4 CSR 240-10.085(1)(A)2. of the definition of nonviable utility includes a utility that has failed to comply

with any order of the department of natural resources or the commission concerning the safety and adequacy of service “within a reasonable period of time.” Staff asks the commission to remove the phrase “within a reasonable period of time” from the definition. Staff believes the phrase is vague. Further, the orders with which the utility has failed to comply presumably contain their own time for compliance and there is no need to include an additional timeframe within this definition.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with staff and will remove the phrase from the definition. The commission also notes that the definition should apply if the nonviable utility has failed to comply with the order of a federal agency. The provision will be modified accordingly.

COMMENT #7: Subsection 4 CSR 240-10.085(1)(B) defines “rate of return premiums” as an award by the commission of up to one hundred (100) basis points to a utility in recognition of the risks associated with the acquisition of a nonviable utility. Staff, Public Counsel, Missouri-American, and Liberty Utilities all express concern that the proposed definition does not make clear whether the additional one hundred (100) basis points would apply to the acquiring company’s entire rate base or just the additional rate base involved in the acquisition. Staff and Public Counsel suggest the incentive be limited to just the acquired rate base. Missouri-American and Liberty Utilities point out that because the acquired rate base may be small in relation to the acquiring company’s overall rate base, the incentive allowed under the rule will likely be very small and not much of an incentive.

RESPONSE AND EXPLANATION OF CHANGE: The concept of a rate of return premium is not explicitly limited by the rule to either the acquiring company’s entire rate base, or to the acquired rate base. That ambiguity is an intentional feature of the rule. The commission wants to have the discretion to craft a rate of return incentive that will be effective. The details of what incentive is appropriate will be determined based on the evidence presented to the commission in a particular case. The definition will be modified to make the commission’s retention of discretion more clear by referring to an adjustment to a portion or all of the acquiring utility’s rate base.

COMMENT #8: Subsection 4 CSR 240-10.085(1)(B) defines rate of return premiums and indicates such an incentive can be awarded in recognition of the increased risk associated with acquisition of a nonviable utility and the “associated system improvement costs.” Liberty Utilities expresses concern that the phrase “associated system improvement costs” is not clearly defined in the rule.

RESPONSE: The commission does not believe associated system improvement costs” should be rigidly defined within this rule. Rather the meaning of the term will need to be determined on a case-by-case basis, considering the evidence presented. No change will be made in response to this comment.

COMMENT #9 Missouri-American suggests the definition of “debit acquisition adjustment” contained in subsection 4 CSR 240-10.085(1)(C) be simplified to refer to all of the acquisition cost over the depreciated original cost of the acquired system rather than a “portion” of such costs.

RESPONSE: The commission wants to allow itself as much discretion as possible in crafting an appropriate incentive, including any debit acquisition adjustment. No change will be made in response to this comment.

COMMENT #10: Public Counsel argues it would be unreasonable for a utility to receive more in rate base than would be supported by the assets and is concerned that the definition does not contemplate the amount of time allowed to amortize a debit acquisition adjustment.

RESPONSE: This section just defines a term. The reasonableness and details of such an adjustment will be determined on a case-by-case basis. No change will be made in response to this comment.

COMMENT #11: Subsection 4 CSR 240-10.085(1)(D) defines “plant-in-service study.” Missouri-American is concerned that nonviable acquired companies may not have sufficient books and records to allow the acquiring company to prepare a plant-in-service study. Missouri-American asks that more flexibility be built into the definition to recognize those concerns.

RESPONSE: The commission addresses concerns about unavailable records elsewhere in the rule and does not believe it is necessary to do so within this definition subsection. No changes will be made in response to this comment.

COMMENT #12: Public Counsel points to several sections of the rule that use the phrase “acquisition incentive” as a short-hand way of referring to “rate of return premiums” and “debit acquisition adjustment.” It suggests that either “acquisition incentive” be defined, or that “rate of return premiums and debit acquisition adjustment, or both” be used in its place.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees that the use of the undefined term “acquisition incentive” could be misleading. A definition of “acquisitions incentive” as including the other defined terms of “rate of return premiums” and “debit acquisition adjustment” will be added as a new subsection to section 4 CSR 240-10.085(1). The definition of “acquisition incentive” will also result in changes to section 4 CSR 240-10.085(2) to incorporate that now-defined term.

COMMENT #13: Public Counsel is concerned that section 4 CSR 240-10.085(2) would allow the commission to approve an acquisition incentive in the acquisition case even though such costs would not be known and measurable and the related improvements would not be used and useful.

RESPONSE: The commission does not share Public Counsel’s concerns because, as section 4 CSR 240-10.085(2) describes, an approved acquisition incentive could only be applied in a subsequent rate case, and then, only if such application will not result in unjust or unreasonable rates. No changes will be made in response to this comment.

COMMENT #14: Paragraph 4 CSR 240-10.085(3)(A)2. lists various documents and records of original costs of the nonviable utility that must be filed by the acquiring utility as part of any application for an acquisition incentive. Missouri-American and Liberty Utilities are concerned that nonviable utilities frequently do not keep good records. As a result, the acquiring company may be unable to produce some of the records required by the rule. Subsection 4 CSR 240-10.085(3)(B) provides that if those documents and records are unavailable at the time the application for acquisition incentive is filed, they can be furnished by the acquiring utility before its next rate case. Public Counsel points out that there is no reason to believe that documents and records that were unavailable at the time the application for an acquisition incentive was filed will become available before the next rate case is filed.

RESPONSE AND EXPLANATION OF CHANGE: The commission is certainly aware that nonviable utilities may not keep good records, and recognizes that an acquiring utility cannot file documents that do not exist. That is why subsection 4 CSR 240-10.085(3)(C) allows the acquiring utility to file estimated cost-related documents so long as they also file documents supporting the reasonableness of those estimates. That provision already addresses the commenters concerns, but the first sentence of that subsection is unnecessary and may give the false impression that non-existent cost-related documents must be filed. The commission will remove that first sentence without changing the meaning of the subsection as a whole. The commission will also delete subsection 4 CSR 240-10.085(3)(B). The intent of that provision is to provide for a mechanism through which the commission would receive the information required by paragraph 4 CSR 240-10.085(3)(A)2. However, subsection 4 CSR 240-10.085(3)(C) already provides for such a mechanism, so subsection 4 CSR 240-10.085(3)(B) is unnecessary.

COMMENT #15: Public Counsel suggests the applicant for an acquisition incentive be required to certify that it is a “capable public utility” as that phrase is used in section 393.146, RSMo 2016, which was cited by the commission as authority for this rulemaking.

RESPONSE: As will be discussed in response to Comment No. 24, the commission has concluded that section 393.146, RSMo is not what provides authority for this rulemaking. As a result, there is no reason to modify the rule to match the language of that statute. No change will be made in response to this comment.

COMMENT #16: Public Counsel recommends a change in the structure of section 4 CSR 240-10.085(4) to make the statement that the acquiring utility has the burden of proof into its own subsection and then to make the list of things that must be proven paragraphs in a separate subsection.

RESPONSE: The commission does not believe the structural change proposed by Public Counsel will clarify the rule. No change will be made in response to this comment.

COMMENT #17: Public Counsel would add a provision requiring the acquiring utility to prove that it is a “capable public utility” as that phrase is used in section 393.146, RSMo 2016, which was cited by the commission as authority for this rulemaking.

RESPONSE: As will be discussed in response to Comment No. 24, the commission has concluded that section 393.146, RSMo is not what provides authority for this rulemaking. As a result, there is no reason to modify the rule to match the language of that statute. No change will be made in response to this comment.

COMMENT #18: Public Counsel questions the provision in subsection 4 CSR 240-10.085(4)(E) that would require the acquiring utility to prove how improvements needed to make the acquired utility viable will be completed within three (3) years. Similarly, subsection 4 CSR 240-10.085(4)(G) would require proof of how capital improvements and operational changes within the next three (3) years will correct deficiencies. Public Counsel is concerned that an artificial three (3) year requirement might not be sufficient to correct problems in some circumstances. Instead, it proposes a more flexible, “reasonable,” timetable for the utility to work with other governmental agencies to correct problems.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with Public Counsel’s concern that a three- (3-) year limitation may be unnecessarily rigid. The questioned subsections will be modified to remove the three- (3-) year limitation. In its place, the rule will require the applicant to specify an anticipated time for completion of necessary improvements.

COMMENT #19: Subsection 4 CSR 240-10.085(4)(I) requires the applicant for an acquisition incentive to prove that the acquisition would be unlikely to occur without the probability of obtaining an acquisition incentive. Liberty Utilities and Missouri-American are concerned that this “but for” requirement would be impossible to prove, meaning the acquisition incentives allowed by the rule could never be used.

RESPONSE: The commission understands the difficulty of proving that a transaction would not occur but for the chance of obtaining an acquisition incentive. Certainly, such acquisitions have taken place without the possibility of the acquisition incentive described in this rule. So, the rule should not be taken as an invitation to seek an unnecessary incentive to subsidize an acquisition that would occur without an incentive. As a result, a “but for” requirement is a necessary part of the rule. The commission cannot at this time describe exactly what would need to be proved to meet the “but for” requirement. That standard will need to be developed on a case-by-case basis depending upon the evidence presented in the particular case. No change will be made in response to this comment.

COMMENT #20: Section 4 CSR 240-10.085(5) creates a presumption that a utility that has had an acquisition incentive approved by

the commission is to file a general rate case within twelve (12) months after approval of the acquisition unless otherwise ordered by the commission. Missouri-American is concerned that it would be unreasonable, and undesirable for a large utility to be required to prematurely file a general rate case just to incorporate a small nonviable water or sewer system. Staff and Public Counsel agree ratepayers would not benefit if the acquiring utility were required to file an expensive and unnecessary rate case.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees that the acquiring utility should not be required to file an expensive and unnecessary general rate proceeding. The one- (1-) year filing requirement will be removed from the rule and replaced with a requirement that the acquiring utility file a general rate proceeding within the time ordered by the commission. The commission also notes that section 4 CSR 240-10.085(5) refers to a utility’s “rate case.” The intent of the provision is to refer to the utility’s next general rate proceeding, not to some other single-issue rate case in which not all the utility’s rates, revenues, and expenses are considered. For that reason, the commission will change the reference from “rate case” to “next general rate proceeding” in this section and elsewhere that phrase appears in the rule.

COMMENT #21: If an acquisition adjustment is approved, section 4 CSR 240-10.085(6) requires the acquiring utility to file a plant-in-service study as part of its next general rate proceeding. Missouri-American would prefer that the plant-in-service study be agreed upon at the time of the acquisition incentive application rather than wait for a determination in the next general rate proceeding.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees that if the required plant-in-service study is ready to be filed as part of the acquisition incentive application, the applicant may do so. But, another applicant may not be prepared to file that study until a subsequent general rate proceeding. The commission will modify the rule to allow for both possibilities.

COMMENT #22: Section 4 CSR 240-10.085(7) indicates the rule does not preclude an acquiring utility that acquires an asset at a cost less than the depreciated original cost of the system from seeking to include in its rate base an amount up to the depreciated original cost of the system. Public Counsel argues the utility’s recoupment of such an acquisition discount would be unreasonable and inequitable.

RESPONSE: Section 4 CSR 240-10.085(7) does not allow for the recoupment of an acquisition adjustment. It merely indicates such recoupment is not precluded by this rule and leaves the appropriateness of such recoupment to be decided in an appropriate contested case. No change will be made in response to this comment.

COMMENT #23: Public Counsel suggests section 4 CSR 240-10.085(7) be clarified to indicate that any attempt to include costs in rate base will occur in the utility’s next general rate proceeding.

RESPONSE AND EXPLANATION OF CHANGE: The commission will make that clarification.

COMMENT #24: Public Counsel challenges the commission’s reliance on section 393.146, RSMo as authority for its promulgation of this regulation. Further, Public Counsel challenges the commission’s authority to promulgate this rule under the other cited sections, 386.040, 386.250, and 393.140.

RESPONSE AND EXPLANATION OF CHANGE: Section 393.146, RSMo creates a mechanism by which the commission may compel a capable public utility to acquire a nonviable small water or sewer system under certain circumstances. Subsection 393.146.16, RSMo gives the commission rulemaking authority to carry out the purposes of that section. But it does not give the commission general rulemaking authority to address other problems connected to nonviable small water and sewer systems. Consequently, the rulemaking authority granted to the commission by section 393.146, RSMo is not what supports the promulgation of this rule and reference to that section will be removed from this rulemaking.

The other statutes cited as authority for this rule, sections 386.040, 386.250, and 393.140, RSMo, support the commission's general rulemaking authority to regulate water and sewer utilities and provide authority for this rule.

4 CSR 240-10.085 Incentives for Acquisition of Nonviable Utilities

(1) As used in this rule, the following terms mean:

(A) Acquisition incentive—A rate of return premium, debt acquisition adjustment, or both designed to incentivize the acquisition of a nonviable utility;

(B) Debit acquisition adjustment. Adjustments to a portion or all of an acquiring utility's rate base to reflect a portion or all of the excess acquisition cost over depreciated original cost of the acquired system;

(C) Nonviable utility—A small water or sewer utility, serving eight thousand (8,000) or fewer customers that:

1. Is in violation of statutory or regulatory standards that affect the safety and adequacy of the service provided, including, but not limited to, the Public Service Commission law, the federal clean water law, the federal Safe Drinking Water Act, as amended, and the regulations adopted under these laws;

2. Has failed to comply with any order of a federal agency, the Department of Natural Resources, or the commission concerning the safety and adequacy of service;

3. Is not reasonably expected to furnish and maintain safe and adequate service and facilities in the future; or

4. Is insolvent;

(D) Plant-in-service study. A report detailing a determination of the value of the original costs of the property of a public utility that requires the acquiring utility to accumulate the records and accounting details in order to support reasonable plant, reserve, and contributions in aid of construction balances; and

(E) Rate of return premiums. Additional rate of return basis points, up to one hundred (100) basis points, applied to either the acquiring utility's entire rate base or to the newly acquired rate base, awarded at the commission's discretion in recognition of risks involved in acquisition of nonviable utilities and the associated system improvement costs.

(2) An application for an acquisition incentive must be filed at the beginning of a case seeking authority under sections 393.190 or 393.170, RSMo. If the commission determines the request for an acquisition incentive is in the public interest, it shall grant the request. The commission may apply an acquisition incentive in the applicant's next general rate proceeding following acquisition of a nonviable utility if the commission determines it will not result in unjust or unreasonable rates.

(3) Filing Requirements—

(B) Any information not available from the seller shall be estimated by the acquiring utility, along with documentation supporting the reasonableness of the estimates developed.

(4) When submitting an application for an acquisition incentive to acquire a nonviable utility, the acquiring utility has the burden of proof and shall demonstrate the following:

(E) Any plant improvements necessary to make the utility viable will be completed within a reasonable period of time, as specified in the application, after the effective date of acquisition;

(G) How planned capital improvements and operational changes will correct deficiencies;

(5) If the acquisition incentive is approved by the commission, the utility shall file a general rate proceeding within the period of time ordered by the commission. Rate impacts of the approved incentive mechanism will go into effect upon order of the commission at the conclusion of the acquiring utility's first general rate proceeding following approval of the acquisition incentive. If the acquisition incen-

tive is approved in a section 393.190 or 393.170, RSMo case, prior to its next general rate proceeding, the acquiring utility shall—

(A) Book contributions that were properly recorded on the books of the acquired system as CIAC. If evidence supports other CIAC that was not booked by the seller, the acquiring utility shall make an effort, supported with documentation, to determine the actual CIAC and record the contributions for ratemaking purposes, such as lot sale agreements or capitalization vs. expense of plant-in-service on tax returns;

(B) Identify all plant retirements and plants no longer used and useful, and complete the appropriate accounting entries; and

(C) If the records are not available from the acquired system to complete subsection (5)(A) or (5)(B), on a going-forward basis, create and maintain documentation of (5)(A) and (5)(B) from the date of acquisition.

(6) If a debit acquisition adjustment is requested, an acquiring utility shall either file a plant-in-service study to support the amount of its requested acquisition adjustment addition to its rate base in its next general rate proceeding, or, if it prefers to do so, the acquiring utility may file the required plant-in-service study in section 393.170 or 393.190 application case. The acquiring utility shall reconcile and explain any discrepancies between the acquiring utility's plant-in-service study of original cost valuation and the commission's records, to the extent reasonably known and available to the acquiring utility, at the same time the supporting documentation for the study is filed. Any disputes regarding the acquiring utility's plant-in-service study will be resolved in that first subsequent general rate proceeding.

(7) Nothing in the rule precludes an acquiring utility that pays less than the depreciated original cost of the acquired system from seeking in its next general rate proceeding to include in rate base an amount up to the depreciated original cost of the acquired system.

AUTHORITY: sections 386.040, 386.250, and 393.140, RSMo 2016. Original rule filed May 30, 2018.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 10—Utilities

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 393.140, and 393.270 RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-10.095 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 2, 2018 (43 MoReg 1425-1426). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 1, 2018, and the commission held a public hearing on the proposed rule on August 7, 2018. The commission received timely written comments from Missouri-American Water Company, the Office of the Public Counsel and the staff of the commission. Jacob Westen, representing the commission's staff, Ryan Smith and Caleb Hall representing the Office of the Public Counsel, and Jim Jenkins on behalf of Missouri-American, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that the purpose of the proposed

rule is to provide small water and sewer companies with a means to obtain funds needed to comply with environmental rules and orders. It would allow for prefunding of needed capital investments by utility customers under limited circumstances.

RESPONSE: The commission thanks staff for its comment. No change will be made in response to this comment.

COMMENT #2 Public Counsel generally supports the goals of the proposed rule, but questions the commission's legal authority to promulgate this rule. Public Counsel urges the commission to instead use better established legal authority to accomplish its goals through the use of interim rates, or through establishment of an environmental cost adjustment mechanism (ECAM) as authorized by section 386.266, RSMo.

RESPONSE: The commission has considered the use of interim rates or an ECAM to address the problem, but has found that neither alternative can be effective. As Public Counsel indicates, in a 1976 decision regarding a request from Laclede Gas Company for interim rates, the Missouri Court of Appeals held that "the Commission has power in a proper case to grant interim rate increases within the broad discretion implied from the Missouri file and suspend statutes and from the practical requirements of utility regulation."¹ However, the commission's authority to grant interim rates exists only as a part of its authority to set the utility's permanent rates through the eleven-(11-) month ratemaking process.² Interim rates might be appropriate to help a struggling utility meet operating requirements while a permanent rate increase is being considered, but it would not help that utility to begin making a large, immediate capital investment needed to comply with environmental requirements.

The ECAM alternative proposed by Public Counsel is based on section 386.266, RSMo, which authorizes the commission to approve a mechanism to make periodic rate adjustments outside a general rate proceeding to reflect increases and decreases in prudently incurred capital or other expenses incurred to comply with environmental requirements. The ECAM alternative is not helpful for small water and sewer systems because it includes a statutory cap limiting it to two and a half percent (2.5%) of the utility's gross income. For a small utility with a total gross revenue of fifty thousand dollars (\$50,000) per year, the cap would amount to only one thousand two hundred fifty dollars (\$1,250), clearly not enough to support a major capital expense. Further, the ECAM would address past, not future, spending.

Of course, that there are problems with the alternatives offered by Public Counsel does not mean the rule can stand in the absence of statutory authority for it. Fortunately, there is statutory authority for the rule as proposed. Section 393.270.4, RSMo (2016) gives the commission explicit authority in setting a utility's rates to give due regard to "the necessity of making reservations out of income for surplus and contingencies." The Environmental Improvement Contingency Fund (EICF) addressed by this proposed rule is exactly the sort of contingency fund contemplated and authorized by the statute.

¹ *State ex rel. Laclede Gas Co. v. Public Serv. Com'n*, 535 S.W.2d 561, 567 (Mo. App. 1976).

² "In its very nature, an interim rate request is merely ancillary to a permanent rate request, ..." *Laclede* at 565.

COMMENT #3: Public Counsel recommends language be added to the rule to require the applicant utility to meet some sort of objective standard before an EICF would be authorized.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees the rule should include a standard for when an EICF should be established. The commission will add a sentence to section (2) establishing a "public interest" standard.

COMMENT #4 Public Counsel recommends language be added to the rule to permit a refund of unused EICF funds to the utility's ratepayers.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees. A refund provision will be added to section 4 CSR 240-10.095(7) as a new subsection (B).

COMMENT #5: The written comments filed by Missouri-American Water Company asked that the rule be modified to make the use of an EICF available to large water and sewer companies, such as itself. At the hearing, Missouri-American indicated that after further review of the rule, it has concluded that the rule should not be made applicable to large water or sewer companies. Missouri-American now supports the proposed rule.

RESPONSE: The commission will make no changes in response to this comment.

COMMENT #6: Section 4 CSR 240-10.095(2) as currently written allows the utility or the commission's staff to request establishment of an EICF. Public Counsel asks that it also be authorized to make such a request. Further, Public Counsel suggests that various public officials or a group of rate payers, as described in section 393.146.12, RSMo also be authorized to make that request.

RESPONSE AND EXPLANATION OF CHANGE: The commission will modify section 4 CSR 240-10.095(2) to allow Public Counsel to request establishment of the EICF. The same change to recognize Public Counsel's authority to request the establishment of an EICF will also be made in section 4 CSR 240-10.095(4). The commission does not, however, believe it is appropriate or necessary to allow other persons or entities to request the establishment of such a fund.

COMMENT #7: Subparagraph 4 CSR 240-10.095(4)(A).1.A. indicates the list of necessary improvements to be funded through an EICF are to include improvements directly related to orders issued by specified federal, state, and local authorities. Staff suggested at the hearing that court orders be added to that list.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees and will add court orders to the list.

COMMENT #8: Also regarding subparagraph 4 CSR 240-10.095(4)(A).1.A., it was suggested at the hearing that the reference to improvements related to "environmental" rules, regulations, or orders be expanded to include "health and safety" related rules, regulations, or orders.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comment and will modify the subparagraph accordingly.

COMMENT #9: Public Counsel is concerned about the commission's legal authority to authorize a five- (5-) year surcharge as contemplated in subparagraph 4 CSR 240-10.095(4)(A).1.B.

RESPONSE: The EICF is a contingency fund, not a surcharge and it is authorized by statute. The commission will make no change in response to this comment.

COMMENT #10: Public Counsel asks the commission to add language to subsection 4 CSR 240-10.095(4)(B) to state that the required estimated amount of funds necessary to carry out the proposed improvements must be reasonable and supported by competent and substantial evidence.

RESPONSE: The commission agrees that such estimates must be reasonable and supported by competent and substantial evidence. But that determination will be made in the rate case through which the EICF is authorized and the requirement does not need to be stated in the text of the rule. The commission will make no change in response to this comment.

COMMENT #11: Subsection 4 CSR 240-10.095(4)(C) requires the utility to submit a schedule for completion of the list of improvements to be funded through the EICF. It also allows the commission's staff

to assist the utility in the preparation of that schedule if requested by the utility or directed by the commission. Public Counsel suggests the Department of Natural Resources, the Environmental Protection Agency, or some other appropriate agency should craft the compliance schedule. Staff replied that it does not believe other agencies need to be involved in preparing the completion schedule for purposes of this contingency fund.

RESPONSE: The commission agrees with its staff that while other agencies may certainly be consulted, their possible participation in preparing a compliance schedule does not need to be addressed in this section of the rule. Further, the commission has no authority to make a rule that would require other agencies to participate in preparing a compliance schedule. The commission will make no change in response to this comment.

COMMENT #12: Section 4 CSR 240-10.095(5) requires the utility to collect an authorized EICF as part of the customer charge on customer's bills. Public Counsel argues that any authorized "surcharge" should be clearly identified as such on a customer's bill.

RESPONSE: The EICF is not a "surcharge," rather, it is a contingency fund gathered through base rates just as any other element of a utility's rates would be gathered for "surplus and contingencies." It is not necessary to determine in this rule whether or how that funding mechanism should be described on a customer's bill. Instead, that determination should be made on a case-by-case basis in the rate case in which the fund is established. The commission will make no changes in response to this comment.

COMMENT #13: Subsection 4 CSR 240-10.095(5)(B) states that funds held in an EICF account may "only be disbursed to pay for projects approved during the rate case." Public Counsel states it is unclear about who would receive payments from the EICF, asking whether payments could be made only to vendors of a project, or whether the utility could be reimbursed from the EICF for repayment of the cost of equity or debt.

RESPONSE: The commission believes that the rule adequately indicates that payments from the EICF are to be made to vendors who work on the approved projects. The commission will make no changes in response to this comment.

COMMENT #14: Section 4 CSR 240-10.095(6) requires the utility to submit quarterly reports to staff and Public Counsel after its EICF has been approved. Public Counsel suggests the requirement be clarified to specify that those reports are to be filed at the end of each quarter. Staff agreed with that recommendation.

RESPONSE AND EXPLANATION OF CHANGE: The commission will clarify the requirement of the section by making the required reports due thirty (30) days following the end of each quarter.

COMMENT #15: Public Counsel suggests what it believes to be simplified alternative language for subsection 4 CSR 240-10.095(7)(A). Staff replied that it believes the proposed language is appropriate.

RESPONSE: The proposed language is appropriate. The commission will make no changes in response to this comment.

COMMENT #16: Missouri-American suggests section 4 CSR 240-10.095(8) be modified to make it clear that in response to a complaint, the commission's authority would be to authorize its general counsel to seek civil penalties in circuit court as the commission does not have authority to authorize civil penalties on its own. Staff agreed with that comment.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comment and will modify the section to make it clear that the commission cannot itself impose civil penalties.

COMMENT #17: Public Counsel suggests the authority section also cite sections 386.266 and 393.150, RSMo as authority for the rule.

RESPONSE: Section 386.266, RSMo is the statute that authorizes an interim energy charge or periodic rate adjustments to reflect increases and decreases in fuel and purchased power costs. Section 393.150, RSMo gives the commission general authority to fix the rates charged by a utility after a hearing. The commission does not believe either rule need be cited as authority for this rulemaking. The commission will make no changes in response to this comment.

4 CSR 240-10.095 Environmental Improvement Contingency Fund

(1) For the purposes of this rule only, a water or sewer utility serving eight thousand (8,000) or fewer customers shall be considered a small utility.

(2) A small utility, Public Counsel, or commission staff may request establishment of an Environmental Improvement Contingency Fund (EICF) during the course of a rate case, whether filed pursuant to 4 CSR 240-10.075 or section 393.150, RSMo. The commission may establish an EICF if it finds that doing so is in the public interest.

(3) Following the request for an EICF, the staff will—

(A) Investigate the small utility's financial resources and its ability to finance capital improvements;

(B) Conduct a managerial audit to determine the quality of the small utility's management; and

(C) Conduct a comprehensive review of the necessary improvements at the small utility.

(4) An EICF may only go into effect if, at the conclusion of the rate case where the small utility, Public Counsel, or commission staff requests an EICF, the commission approves the following items:

(A) A list of necessary improvements.

1. The list of necessary improvements may only include those improvements that—

A. Are directly related to environmental, health, or safety rules, regulations, or orders of the commission, the Missouri Department of Natural Resources (DNR), the United States Environmental Protection Agency (EPA), state or federal courts, or other regulatory authority including, but not limited to, federal, state, or local authorities, city ordinances, and the state attorney general; and

B. Are reasonably anticipated to be completed within five (5) years of the effective date of new rates, although, for good cause shown, the commission may consider projects that require longer to complete; and

2. During the rate case, upon request by the small utility or by direction of the commission, staff will assist the utility in identifying a list of necessary improvements;

(B) An estimated amount of funds necessary for the improvements in the list described in subsection (4)(A).

1. Staff and the small utility will submit the estimated amount of funds necessary for the improvements, which may include costs for preliminary engineering reports related to those improvements.

2. The percentage of the estimated amount collectable through an EICF will be based on an analysis of the needs of the small utility and its ability to secure financing through normal debt or equity sources. The commission may give special consideration to requests that do not require full funding of the estimated amount collectable.

3. If a requested EICF includes funds for a preliminary engineering report, the report must be completed and submitted to the commission prior to the first disbursement from the EICF account; and

(C) A schedule for completion of the list of improvements required by subsection (4)(A). Upon request by the small utility or by direction of the commission, staff will assist the small utility in preparing such a schedule.

(5) The EICF must be collected as a part of the customer charge on customers' bills.

(A) Revenues collected must be recorded by the small utility and placed into a commission-approved account specifically segregated from all other utility accounts, for the explicit purpose of regulatory review and tracking.

(B) Funds held in the EICF account shall only be disbursed to pay for projects approved during the rate case as noted in section (4) above.

(C) Disbursements from the EICF account shall only be made after notice to staff and public counsel.

1. The notice must be sent to staff and public counsel at least thirty (30) days prior to a disbursement.

2. If any party objects to the proposed disbursement, detailed objections must be filed in the official case file in which the EICF was approved no later than ten (10) days after receiving the disbursement notice. The commission may then determine whether or not to approve the requested disbursement of the funds.

3. If no timely objection is raised or staff and public counsel notify the small utility they agree to the disbursement, the small utility may make the disbursement described in its notice no later than the date specified in that notice.

4. The commission will resolve any dispute regarding the proposed disbursements prior to the specified disbursement date.

(6) Not later than thirty (30) days following the end of every quarter after receiving commission approval of an EICF, the small utility shall submit documentation to staff and public counsel reporting—

- (A) Monthly EICF funds received from customers;
- (B) Monthly EICF deposits to the escrow account;
- (C) Monthly EICF expenditures; and
- (D) End-of-month balance of the EICF account.

(7) After an EICF is established, the small utility shall file a subsequent rate request no later than five (5) years after the effective date of the EICF, during which—

(A) Any monies expended from the fund shall be treated as contributions-in-aid-of-construction for purposes of setting rates for the small utility. The EICF will be trued-up and will be reviewed to determine if it should—

- 1. Remain in effect at the current rate; or
- 2. Remain in effect at a different rate; or
- 3. Be terminated.

(B) Any unallocated monies remaining in the fund when it is terminated shall be refunded to the utility's ratepayers.

(8) If, upon review of documentation described in section (6) above, staff, public counsel, or another regulatory authority has indication that the small utility has used EICF funds for any purpose other than as approved by the commission. Staff or the public counsel may, at their discretion, bring a complaint before the commission against the small utility seeking an order from the commission directing the small utility to promptly stop all collection of an EICF, as well as direction from the commission for its general counsel to seek civil penalties against the small utility in circuit court. Nothing in this rule shall prohibit civil or criminal action by any state or federal authority against the small utility for misuse of customer funds.

(9) Provisions of this rule may be waived by the commission for good cause shown.

AUTHORITY: sections 386.040, 386.250, 393.140, and 393.270, RSMo 2016. Original rule filed May 30, 2018.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 10—Utilities**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-10.105 Filing Requirements for Electric, Gas, Water, Sewer, and Steam Heating Utility Applications for Authority to Sell, Assign, Lease, or Transfer Assets is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1578). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rule on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rule.

RESPONSE: The commission agrees and will adopt the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rule.

RESPONSE: The commission agrees and will adopt the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 10—Utilities**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-10.115 Filing Requirements for Electric, Gas, Water, Sewer, and Steam Heating Utility Applications for Authority to Merge or Consolidate is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1578-1579). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rule on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rule.

RESPONSE: The commission agrees and will adopt the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rule.

RESPONSE: The commission agrees and will adopt the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 10—Utilities**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-10.125 Filing Requirements for Electric, Gas, Water, Sewer, and Steam Heating Utility Applications for Authority to Issue Stock, Bonds, Notes, and Other Evidences of Indebtedness **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1579). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rule on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rule.

RESPONSE: The commission agrees and will adopt the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rule.

RESPONSE: The commission agrees and will adopt the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 10—Utilities**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-10.135 Filing Requirements for Electric, Gas, Water, Sewer, and Steam Heating Utility Applications for Authority to Acquire the Stock of a Public Utility **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1579–1580). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rule on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rule.

RESPONSE: The commission agrees and will adopt the rule.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rule.

RESPONSE: The commission agrees and will adopt the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 10—Utilities**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-10.145 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1580–1581). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed rule on August 22, 2018. The commission received timely written comments from the staff of the commission. Alexandra Klaus, representing the commission's staff; and Ryan Smith, representing the Office of the Public Counsel, appeared at the hearing and offered comments.

COMMENT #1: The commission staff filed written comments in support of the proposed rule, but recommends that the final sentence in section (5) be removed as it is no longer consistent with commission practice.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees, and will adopt the rule with the final sentence in section (5) removed.

COMMENT #2: The Office of the Public Counsel indicated no opposition to the proposed rule.

RESPONSE: The commission agrees, and will adopt the rule with the final sentence in section (5) removed, as recommended by the commission staff.

4 CSR 240-10.145 Annual Report Submission Requirements for Electric, Gas, Water, Sewer, and Steam Heating Utilities

(5) If an entity asserts that any of the information contained in the nonpublic version of the annual report should be made available to the public, then that entity must file a pleading with the commission requesting an order to make the information available to the public, and shall serve a copy of the pleading on the utility affected by the request. The pleading must explain how the public interest is better served by disclosure of the information than the reason provided by the utility justifying why the information should be kept under seal. The utility affected by the request may file a response to a pleading filed under these provisions within fifteen (15) days after the filing of such a pleading.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 20—Electric Utilities**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, and section 386.266, RSMo Supp. 2018, the commission amends a rule as follows:

4 CSR 240-20.090 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 2, 2018 (43 MoReg 1426-1437). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 6, 2018, and the commission held a public hearing on the proposed amendment on August 13, 2018. The commission received six (6) written comments. Comments were received from the Office of the Public Counsel (OPC), The Empire District Electric Company, a Liberty Utilities Company (Empire), the staff of the commission (staff), Dogwood Energy LLC (Dogwood), and jointly from Union Electric Company d/b/a Ameren Missouri (Ameren Missouri), Kansas City Power & Light Company (KCPL), and KCP&L Greater Missouri Operations (GMO). Appearing at the hearing and offering comments were: Ron Irving, representing staff and John Rogers on behalf of staff; Ryan Smith representing OPC and Lena Mantle on behalf of OPC; Jim Lowery, representing Ameren Missouri; Jim Fischer, representing KCPL and GMO; and Diana Carter representing Empire. All the comments were generally supportive of amending the rule, but each of the commenters had specific amendments to which it objected or proposed revisions. Each of the comments will be addressed in relation to the specific provisions.

COMMENT #1: Staff proposed minor language changes to proposed subsection (1)(A) and to paragraphs (1)(K)3., (1)(K)4., and (1)(K)5. to clarify those provisions. Ameren Missouri, Empire, KCPL, and GMO (collectively referred to as “the utilities”) concurred with the changes proposed by staff. In addition, the utilities suggested minor wording changes to proposed subsections (1)(B), (1)(I), and (1)(K) to maintain consistency with how those terms are used throughout the remainder of the rule and to proposed paragraph (1)(K)4. for clarification. Dogwood suggests minor clarifications to subsection (1)(W) to make that provision consistent or more understandable. Further, the utilities suggested reorganization of proposed paragraph (1)(Z)1. and subparagraph (1)(Z)1.A. None of the commenters objected to these changes.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the proposed clarifications provided by staff, the utilities, and Dogwood and will adopt changes to proposed subsections (1)(A), (1)(B), (1)(I), (1)(K), (1)(W), and (1)(Z), paragraphs (1)(K)3., (1)(K)4., (1)(K)5., and (1)(Z)1., and to subparagraph (1)(Z)1.A. The commission also reorganizes proposed subparagraph (1)(Z)1.A., but not as suggested by the utilities.

COMMENT #2: Empire joined in the utilities’ initial comments and the reply comments of Ameren Missouri at the hearing. Empire also filed separate written comments and Ms. Carter spoke at the hearing on Empire’s behalf. Empire’s joint comments with regard to the specific parts of the proposed rule are set out below as comments of “the utilities” or “Ameren Missouri.” As for Empire’s general comments, it argued that the rule needed to allow for the inclusion of both fuel-related revenues, including transportation, and fuel and purchased power costs, including transportation. Empire made several arguments about why the commission should set out the specific transmission costs to be included in the fuel adjustment clause (FAC).

Mr. Smith on behalf of OPC stated at the hearing that OPC is opposed to including all the regional transmission organization (RTO) transmission costs in the FAC and opposes the change suggested by Empire. Ameren Missouri commented that it believes that all transmission charges associated with power purchased from an RTO market and power sold to an RTO market should be included in utility FACs. However, consistent with its view that the FAC rules should not prescribe the components of fuel and purchased power, including transportation, that should be included, Ameren Missouri does not believe the proposed rule needs to be revised in this manner.

RESPONSE: The rule as currently proposed allows for the recovery of transportation costs but leaves the determination of which of the specific costs and how much of those costs to include for determination based on the individual facts of the case. The rule has treated these costs in this manner since it was originally promulgated and has been working fairly well in this regard. The commission determines no change is necessary based on these comments.

COMMENT #3: OPC proposed changing the definition of “base factor” in order to correct it and be consistent with the remainder of the rule. Ameren Missouri indicated it does not oppose making the change as proposed by OPC.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds the suggestion reasonable and will change proposed subsection (1)(D) to correct the definition of “base factor.” However, the language suggested by OPC is somewhat confusing. Therefore, the commission has not adopted OPC’s language verbatim. The commission rewrites subsection (1)(D).

COMMENT #4: OPC proposed changing the definition of “base rates” in proposed subsection (1)(E). OPC proposed adding a sentence indicating that base rates are designed to recover the FAC costs and revenues and the non-FAC costs and revenues. OPC commented that this was a clarification. Ameren Missouri responded at the hearing in opposition to OPC’s proposed change stating that the change was confusing and that the rule as proposed was clear.

RESPONSE: The commission finds the definition of “base rates” in proposed subsection (1)(E) does not need clarification. No change was made in response to these comments.

COMMENT #5: Both OPC and Ameren Missouri suggested the word “during” is confusing in proposed paragraph (1)(K)1. They suggested ways to clarify the paragraph.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comments and will change the word “during” to “of” in proposed paragraph (1)(K)1.

COMMENT #6: OPC suggested deleting the second sentence of proposed subsection (1)(L) because this went beyond what the statute required by including hedging. OPC argued that the parties should be allowed to argue on a case-by-case basis about whether hedging costs are appropriate in a rate adjustment mechanism (RAM). Ameren Missouri agreed with this comment.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comments and will delete the second sentence of proposed subsection (1)(L).

COMMENT #7: OPC recommends defining “fuel costs” in proposed subsection (1)(L) similar to the Federal Energy Regulatory Commission (FERC) FAC requirements published at 18 CFR Part 35.14. OPC also recommended adopting a different definition for “purchased power costs.” Ameren Missouri responded that the commission should not prescriptively adopt OPC’s narrow view of what constitutes fuel and purchased power in the rule. Ameren Missouri also pointed out that the commission rejected OPC’s definitions of fuel and purchased power in KCPL’s last rate case.

RESPONSE: The commission agrees with Ameren Missouri. The commission will not adopt in the rule the narrow definitions of fuel and purchased power costs suggested by OPC.

COMMENT #8: The utilities proposed a change in paragraph (1)(L)2. to ensure that the costs that are included are not counted twice. At the hearing, staff and OPC indicated their agreement with this change.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the suggested language in paragraph (1)(L)2. and will change that paragraph in a substantially similar way as that suggested by the utilities. However, the commission amends paragraph (1)(L)2. further to clarify which costs are not to be contained in more

than one (1) rate adjustment mechanism.

COMMENT #9: At the hearing, Ameren Missouri suggested adding the words “or capacity” to proposed subsection (1)(M) so that all revenues from the purchase of capacity are included.

RESPONSE AND EXPLANATION OF CHANGE: No one opposed Ameren Missouri’s recommended change and the commission finds it to be reasonable. The commission will add the words “or capacity” to proposed subsection (1)(M).

COMMENT #10: OPC proposed a new definition of “fuel-related revenues” at proposed subsection (1)(M) so that it included transmission costs. Ameren Missouri commented that it agrees in concept with the idea of including transmission costs associated with off-system sales in the FAC. However, Ameren Missouri disagreed with OPC’s language because it would dictate (and require changes to) Ameren Missouri’s accounting. Further, Ameren Missouri stated that it was not sure how it would be able to identify or tie specific transmission charges to off-system sales.

RESPONSE: The commission finds that the definition should not include transmission costs as suggested by OPC. No change was made as a result of this comment.

COMMENT #11: The utilities suggested a grammatical correction by adding a hyphen to “short-term” in proposed subsection (1)(O). Staff proposed changes to the definition of “interest” in subsection (1)(O) to clarify that interest is the total amount of interest applied to the various components of a fuel and purchased power adjustment. Ameren Missouri responded at the hearing with additional clarifying language.

RESPONSE AND EXPLANATION OF CHANGE: The changes proposed clarify the definition of “interest” and will be adopted with additional changes to the suggested formatting. Therefore, the commission will rewrite the definition of “interest” and add a hyphen in subsection (1)(O).

COMMENT #12: Staff and OPC proposed correcting the abbreviation of megawatt hours in proposed subsection (1)(Q). OPC also proposed adding the definition of megawatt (MW) and making the definitions of megawatt hour at proposed subsection (1)(Q) and MMBtu at proposed subsection (1)(S) consistent with the other definitions. The utilities concurred with these changes.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees and will correct the abbreviation in proposed subsection (1)(Q). The commission will make the definitions consistent in proposed (1)(Q) and (1)(S) and spell out “Btus” as “British thermal units.” The commission also adds a definition of MW at new subsection (1)(Q) and reletters the following paragraphs accordingly.

COMMENT #13: OPC commented that the definition of “net base energy costs (NBEC)” at proposed subsection (1)(T) should be amended. Ameren Missouri agreed that the definition should be amended as proposed by OPC with the additional modification of adding “including transportation” to OPC’s definition. Dogwood and staff also made minor wording suggestions to the proposed subsection (1)(T).

RESPONSE AND EXPLANATION OF CHANGE: The definition of “net base energy cost (NBEC)” is an important definition in determining the adjustment to rates. The commission determines that OPC’s definition is clearer than the one originally proposed and should be adopted. The commission is not adopting Ameren Missouri’s suggestion. Transportation does not need to be specifically set out in the rule but should be determined on a case-by-case basis. Therefore, the commission will change proposed subsection (1)(T) as suggested by OPC but will reject Ameren Missouri’s suggested addition to OPC’s language. Because the commission is amending subsection (1)(T), Dogwood’s and staff’s suggestions are moot and will not be adopted.

COMMENT #14: OPC commented that the definition of “recovery period” in proposed subsection (1)(X) should be amended by deleting “usage on a per kilowatt-hours (kWh) basis in an effort.” Ameren Missouri agreed.

RESPONSE AND EXPLANATION OF CHANGE: The commission determines that OPC’s suggested change to proposed subsection (1)(X) is reasonable and will adopt it by deleting the phrase as suggested.

COMMENT #15: Staff proposed adding language to section (2) to clarify there is a requirement to rebase base energy costs in each general rate proceeding in which a rate adjustment mechanism is continued or modified. The utilities concurred with this change as proposed by staff.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the proposed clarification and will add the language to section (2).

COMMENT #16: Staff recommended adding and deleting punctuation and adding language to proposed sections (5) and (7), subsections (2)(A), (3)(A), (5)(B), (8)(B), and (8)(C), and paragraphs (9)(A)2. and (9)(A)3. to clarify that if electronic spreadsheets are filed, they shall have both the links and the formulas available. OPC also suggested similar language be added to proposed section (6). Ameren Missouri agreed with these comments.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the proposed clarification and will add the clarifying language to proposed sections (5), (6), and (7), subsections (2)(A), (3)(A), (5)(B), (8)(B), and (8)(C), and paragraphs (9)(A)2. and (9)(A)3.

COMMENT #17: The utilities recommended rewriting proposed paragraphs (2)(A)1. and (3)(A)1. because they did not believe it was appropriate to include in the notice, an estimate about future rate adjustments. Additionally, the utilities stated that their proposed language would clarify to which notice the rule refers. At the hearing, staff and OPC agreed with the utilities’ suggested changes.

RESPONSE AND EXPLANATION OF CHANGE: No one opposed the utilities’ recommended changes and the commission finds them to be reasonable. The commission will rewrite the language in paragraphs (2)(A)1. and (3)(A)1. as suggested in the utilities’ comments with some additional modification for clarification.

COMMENT #18: OPC commented that proposed paragraph (2)(A)2. should include an example customer bill for each rate class. Ameren Missouri disagreed stating that OPC’s language would require it to provide eight (8) sample bills. Ameren Missouri suggested alternative language that would generally require no more than two (2) sample bills be provided.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds Ameren Missouri suggested language to be the most reasonable and least burdensome requirement. Therefore, the commission adopts the language proposed by Ameren Missouri and amends paragraph (2)(A)2. so that the sample customer bill or bills covers all of the utility’s rate classes.

COMMENT #19: Staff recommended changing the word “true-up” to “over- or under-billed” in paragraph (2)(A)7. in order to clarify that over- and under-billed amounts can occur during both the accumulation period and the recovery period. Staff also recommended adding “over- or” to proposed subsection (9)(C) because a true-up amount will occur anytime there is either an over-billing or an under-billing during the recovery period. In their comments, the utilities agreed with these changes.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the proposed clarifications and will amend proposed paragraph (2)(A)7. and proposed subsection (9)(C) accordingly.

COMMENT #20: In proposed paragraph (2)(A)8., OPC suggested

adding a reference to section (11) in order to help navigate the rule. Ameren Missouri agreed with this change.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds the suggestion to be helpful and will add a reference to section (11) in proposed paragraph (2)(A)8.

COMMENT #21: OPC proposed extensive changes to proposed paragraph (2)(A)9., and the subparagraphs following, to require the utilities provide more information in the initial FAC filings. OPC also commented that proposed paragraph (2)(A)10. was unnecessary because revenues were included in the preceding paragraph. OPC gave examples of the information that is provided with the FAC filings and argued that the utilities should provide much more detailed information up front so that OPC and staff do not have to ask for additional details from the utilities via data requests. OPC argued that the electric utility customers would benefit from this added information because they have absolutely no way of calculating how their electric bills will change in the future because of the FAC. OPC argued that the result of this proposed provision would give the customers, the parties to the FAC proceedings, and the commission an idea of the magnitude and the volatility of these costs.

The utilities recommended deletion of most of proposed paragraphs (2)(A)9. and 10. The utilities opposed inclusion of the language proposed by OPC, especially proposed subparagraphs (2)(A)9.D., E., and F., because OPC was trying to promote its policy argument against FACs by making the filing as difficult as possible. The utilities explained that this proposed criteria stems from a dispute between OPC and the utilities during KCPL's last rate case (File No. ER-2016-0285) and Empire's most recent rate case (File No. ER-2014-0258). In those proceedings the commission found against OPC on this issue.

Ameren Missouri and the utilities further argued that analyses about magnitude and volatility of costs and revenues should not be codified in the regulation as that presupposes there is a requirement for the utilities to provide this information in each FAC filing. The utilities also argued that some of these numbers would be difficult to quantify with any kind of accuracy. Ameren Missouri commented that the commission is not prohibited from ordering the utility to provide more detail under the rule language proposed by the utilities if it is needed on a case-by-case basis.

At the hearing, staff agreed with deleting the language in paragraph (2)(A)9. and subparagraphs A. through G. as proposed by Ameren Missouri because, although the utilities have the ability to make an estimate of the expected magnitude of the changes of costs over the next four (4) years, given the dynamic nature of the electric utility marketplace it would be a difficult task that would add very little value to the determination of a FAC. Mr. Fischer, on behalf of KCPL and GMO, also concurred with Ameren Missouri's comments. KCPL and GMO further commented that each company's tariffs, would govern the FAC. Mr. Fischer added that those tariffs have been litigated rigorously and do not need to be incorporated into the rule. **RESPONSE AND EXPLANATION OF CHANGE:** The commission will adopt the changes proposed by the utilities for the reasons expressed by staff. Therefore, the commission deletes proposed paragraph (2)(A)9. and subparagraphs A. through G. and adopts the new paragraph (2)(A)9. proposed by the utilities. The commission makes no change to paragraph (2)(A)10. as published.

COMMENT #22: Staff commented that a change should be made to paragraph (2)(A)13. to clarify that it is the commission determining whether the fuel and purchased power cost and fuel-related revenues are prudent. Additionally, the utilities suggested adding language to paragraph (2)(A)13. to clarify that competitive bidding is not always warranted or practical.

RESPONSE AND EXPLANATION OF CHANGE: No one opposed staff's or the utilities' recommended changes and the commission finds them to be reasonable. The commission will add language to clarify paragraph (2)(A)13. as suggested in staff's and the utilities' comments.

COMMENT #23: Staff recommended deleting paragraph (2)(A)14. Staff explained that the opening clause of the paragraph will not be at issue due to definition of "base energy costs" in subsection (1)(C). Staff also explained that there is no need to include a methodology for allocating fuel and purchased power costs and fuel-related revenue to specific customer classes because all fuel and purchased power costs and fuel-related revenues are recovered from all customer classes through the same dollars per kWh fuel adjustment rate (FAR) prior to making an adjustment for the different voltage service levels.

The utilities also provided written and oral comments recommending that both proposed paragraphs (2)(A)14. and (2)(A)15. be deleted. The utilities commented that these paragraphs would require a utility to provide information regarding the allocation of net energy costs to customer classes in base rates and to provide a discussion of how the FAC rate design is reasonable given that cost allocation. The utilities explained that while such information could be provided, it was not likely to provide any additional value in the establishment of a just and reasonable FAC rate. The utilities explained that if a party to an FAC proceeding wants to present an analysis advocating for a particular rate design, it can request historical data from the utility, but that the rule should not require the analysis be done upfront. At the hearing, staff agreed with the utilities that these paragraphs should be deleted.

OPC filed written comments supporting the proposed language and suggesting an expansion to include the requirements for interim energy charges (IECs). OPC requests the filing requirements for an application for approval, modification, or continuation of a RAM include elements of rate design at a customer class level.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the utilities and staff that paragraphs (2)(A)14. and (2)(A)15. are likely to create an administrative burden for the utilities that would not provide a corollary amount of value to the process of setting FAC rates. Additionally, because proposed subsection (1)(V) defines a RAM to include an IEC, OPC's additional language is unnecessary. Further, the rule as a whole already requires sufficient information without these paragraphs. Therefore, the commission will delete proposed paragraphs (2)(A)14. and (2)(A)15. and renumber proposed paragraphs 16-22 accordingly.

COMMENT #24: OPC commented that the word "any" should be deleted from paragraph (2)(A)17. OPC states that by qualifying these filings for "any risk" the rule suggests that there may not be a risk to customers. The utilities proposed deleting the entire paragraph. The utilities disagree with the premise of proposed paragraph (2)(A)17., which suggests that an FAC imposes some risk to the various customer classes. The utilities also question how to quantify risk if any exists. OPC agreed at the hearing that the requirement to "quantify" risk should be removed from the rule. The utilities further explained that this proposed language arose from OPC's prior attempts through proceedings before the commission to oppose FACs outright by claiming that they are bad policy because they shift risks to customers. The utilities stated that arguments about any risks that exist should be made in the course of FAC and other proceedings but the regulation should not promote OPC's point of view by including this language. At the hearing, Mr. Rogers on behalf of staff commented that staff's position was that "quantification" should be removed from the paragraph, but the rest should remain.

RESPONSE AND EXPLANATION OF CHANGE: Although considering any possible transfer of risks to customers may be a factor for consideration in general rate proceedings or other proceedings before the commission, the commission determines that including a requirement to quantify the risks to a customer class during the course of an FAC proceeding is not appropriate. The commission may consider the transfer of risk on a case-by-case basis in the appropriate proceeding. Therefore, the commission will delete proposed paragraph (2)(A)17. in its entirety. The commission rennumbers proposed paragraphs 18-22 accordingly.

COMMENT #25: OPC proposed adding a new subsection to proposed section (2) that would require staff to submit in its direct case a summary of the result of its review of the information provided by the utility. Ameren Missouri argued that the rule should not prescribe what staff's filing must include.

RESPONSE: The commission agrees with Ameren Missouri, that the rule should not prescribe how staff will submit information to the commission.

COMMENT #26: OPC suggested new language for proposed paragraph (2)(A)18. to clarify that heat rate tests were required within twenty-four (24) months of a general rate case. Dogwood also suggested a change to include the twenty-four (24) month period. Ameren Missouri responded that it did not oppose OPC's language with some additional modification to reflect that the utilities do continual monitoring but that a "test" is not always how the efficiency of a unit is determined. KCPL/GMO agreed with Ameren Missouri's comments and further stated that monitoring is done on a scheduled and routine basis and that the results are transparent to the parties.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds the reason for the language proposed by OPC and Dogwood reasonable, but will modify that language as suggested by Ameren Missouri. This will reflect that continual monitoring is occurring and the commission need not require a specific "test." Thus, the commission rewrites proposed paragraph (2)(A)18, and adds subparagraphs (2)(A)18.A. and B.

COMMENT #27: OPC suggested amending proposed paragraph (2)(A)19. by requiring additional information about the integrated resource planning (IRP) process to be filed in the FAC proceedings. In conjunction with this recommendation, OPC also suggested adding a definition of "Chapter 22 filings" at subsection (1)(F). Ameren Missouri, KCPL/GMO, and Empire object to including more filings from the IRP process in the FAC proceeding. The utilities state that these filings would add nothing to the FAC process and is an unnecessary burden and barrier to requesting an FAC.

RESPONSE: The commission determines there is no reason to include a requirement for filing information in the FAC proceedings that is already available through the IRP process. This would be an added burden with little value. Therefore, the commission makes no change as a result of these comments.

COMMENT #28: OPC commented that proposed paragraph (2)(A)22. should be amended to include continuation or modification in addition to establishment of a RAM. Ameren Missouri agreed.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC and Ameren Missouri and will amend paragraph (2)(A)22. to include continuation or modification.

COMMENT #29: OPC is concerned that proposed subsection (2)(B) makes it so that new parties will not be able to access previous case filings and that the provision may incentivize the utilities to vaguely refer to filings without specificity. However, if this provision is included, OPC recommended rewriting proposed subsection (2)(B) and making the last sentence of the subsection a new subsection (2)(C). Ameren Missouri agreed with OPC's changes, though not with OPC's concerns about the provision.

RESPONSE AND EXPLANATION OF CHANGE: The commission determines that proposed subsection (2)(B) will alleviate the burden of providing copies in some instances and should remain. The commission also determines that most of the changes proposed by OPC are reasonable so that parties that were not parties to the general rate case will receive the necessary information. However, because subsection 386.266.1, RSMo., provides that "any electrical corporation may make an application to the commission," the commission does not delete "An electric utility" as proposed by OPC. Therefore, the commission rewrites and reformats subsection (2)(B) so that the last sentence creates a new subsection (2)(C). Additionally, the commission will reletter proposed subsections

(2)(C) through (2)(G) accordingly.

COMMENT #30: OPC commented that the minimum criteria provided for commission consideration when evaluating whether to establish, continue, modify, or discontinue an FAC should be revised in proposed subsection (2)(C) to include language from the *Report and Order* in File No. ER-2014-0370 (KCPL). OPC also requested that the commission add criteria showing that the RAM is not harmful to the ratepayers and is in the public interest. OPC provided a substantial amount of comments at the hearing arguing that this language should be incorporated to ensure that all the information that the commission has used to make its prior FAC decisions is required to be provided. Ameren Missouri objected to these criteria being included in the rule. Ameren Missouri argued that even though the commission used these criteria in past decisions, the criteria should not be codified in the rule. Additionally, OPC suggested adding the words "In its determination" to the last sentence of proposed subsection (2)(C). Ameren Missouri did not object to this change.

RESPONSE AND EXPLANATION OF CHANGE: The commission determines that including OPC's proposed additional criteria would prescribe the factors, policies, and standards the commission will be required to include in its decisions. However, there may be factual situations where the commission will consider different criteria or find that these criteria are not important enough to include. The commission determines these decisions should be made on the facts of the case and the standards set out in the controlling statutes and case law. Therefore, the commission will not adopt OPC's proposed additional criteria. The commission will, however, adopt OPC's suggested clarification by adding language to the last sentence of proposed subsection (2)(C).

COMMENT #31: OPC suggested deleting proposed paragraph (2)(C)1. and the last sentence of proposed paragraph (2)(C)3. and adding "or other lawful factors" to proposed paragraph (2)(C)1. OPC indicated that the first paragraph is unnecessary in conjunction with the last paragraph. Ameren Missouri objects to OPC's suggestions. Ameren Missouri argues that the additional language is not needed because it need not be repeated that the commission can consider other lawful factors. Further, Ameren Missouri argues that the language OPC wants to delete should remain. Staff recommended rewriting the last sentence of proposed paragraph (2)(C)3. to clarify that the RAM is not only used to recover costs from customers but to also return over-collected costs to customers. Ameren Missouri agreed with staff's changes, but proposed an additional change to the last sentence.

RESPONSE AND EXPLANATION OF CHANGE: The commission determines that OPC's deletions will not help to clarify the rule and may restrict the commission's determinations further than required. The paragraphs set out the general framework of the commission's considerations without altering the considerations that the commission will make. The commission will, however, adopt the changes to the last sentence in proposed paragraph (2)(C)3. as proposed by staff and Ameren Missouri as this language clarifies that the RAM is not only used to recover costs from customers but to also return over-collected costs to customers.

COMMENT #32: OPC proposed clarifications by replacing "with" with "requesting" in proposed subsection (2)(F). and making the last sentence of proposed (2)(F)3. a new subsection. Ameren Missouri agreed with these changes. Additionally, OPC commented that not every electric utility does a recalculation of the fuel and purchased power adjustment (FPA) referenced in proposed paragraph (2)(F)2. OPC made a new language suggestion. Ameren Missouri objected to the change stating that "any" qualified the requirement so that if an electric utility did not recalculate the FPA, the rule would not apply.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees OPC's suggestion is more clear and will make the language change to proposed subsection (2)(F) and make the last sentence of

proposed (2)(F)3. a new subsection. Additionally, the commission reletters proposed subsection (2)(G) accordingly. The commission agrees with Ameren Missouri and rejects OPC's suggested change to proposed paragraph (2)(F)2.

COMMENT #33: Staff recommended adding the word "and" to the end of proposed paragraph (3)(A)4. because it is the next to last item in a series.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with staff and will add "and" to the end of paragraph (3)(A)4.

COMMENT #34: Dogwood suggested deleting the comma after "rates" in proposed section (3).

RESPONSE AND EXPLANATION OF CHANGE: Upon review of this provision, the commission finds that the language in section (3) should not differ significantly from the language in the subsection 386.266.5, RSMo. Therefore, the commission will change the last sentence of proposed section (3) to more closely mirror the requirement in the statute.

COMMENT #35: OPC commented that proposed subsection (3)(B) should be altered to include the balance of ratepayers' interest as well as the utility's ability to earn a return on equity. Ameren Missouri replied that the rule should not dictate these standards opening the commission up to OPC's claims of legal error if the commission fails to follow the standard to OPC's satisfaction.

RESPONSE: The commission agrees that there is a legal standard requiring a balance of interests in commission decision making. However, the commission determines that it should not incorporate the legal standard in the rule as it is dictated by the commission's statutory authority and the governing case law. Therefore, the commission will make no change as a result of this comment.

COMMENT #36: OPC proposed adding itself as a party authorized to request inspection of fuel transportation contracts, hedging policies, and internal policies for participating in regional transmission organizations (RTOs), and who receives notice from the utilities of new or amended contracts in subsections (4)(A) and (B). Ameren Missouri responded that while it has agreed to give OPC access to these materials, the rule should not expand OPC's limited statutory authority. Ameren Missouri argues that because OPC is not a regulator, but instead is appointed under section 386.710, RSMo, to represent the public, it does not automatically have the access to the utilities' books and records in the same manner as the commission. Ameren Missouri argues that instead, OPC must request access from the commission and must establish good cause under section 386.450, RSMo, in order to have the authority to access this information.

RESPONSE: The commission agrees with Ameren Missouri. The commission makes no change as a result of these comments.

COMMENT #37: OPC commented that the periodic reports in section (5) of the rule should remain monthly as they are currently in 4 CSR 240-3.161 that is being rescinded. OPC stated that as proposed, section (5) would have the utilities providing these reports one (1) to four (4) times per year depending on the company. OPC stated this was not frequent enough. Ameren Missouri responded that it believes the reports it has submitted on a monthly basis for the nearly ten (10) years it has had an FAC go largely unused by the other parties, including staff and OPC, except in prudence reviews or later rate cases. Ameren Missouri further suggested that if OPC's request for monthly reports is accepted, the requirement of the proposed rule to provide year-to-date and prior calendar year information should be eliminated.

RESPONSE AND EXPLANATION OF CHANGE: The current rule, 4 CSR 240-3.161, which is being rescinded simultaneously with this amendment required monthly reports. Over the years of its implementation, the commission has ordered various companies to

provide additional items in the reports. With this amendment, the commission is adding those requirements in the rule. Staff and OPC use the monthly reports and the commission will change section (5) to require monthly reporting consistent with the prior practice. The commission will also eliminate the need for year-to-date and prior year information in the reports as suggested by Ameren Missouri.

COMMENT #38: Dogwood suggested inserting "by the commission" after "ordered" in subsection (5)(D). Ameren Missouri agreed with this change.

RESPONSE AND EXPLANATION OF CHANGE: The commission will adopt the clarification suggested by Dogwood and amends subsection (5)(D) by inserting "by the commission" after "ordered."

COMMENT #39: The utilities, OPC, and staff made suggestions for correcting or clarifying parts of proposed section (5). The utilities suggested adding language at subsection (5)(C) to clarify the intent of the rule. Staff and OPC recommended correcting "mWh" to "MWh" in proposed paragraphs (5)(J)4. and 5. OPC suggested deleting the unnecessary "s" from "kWhs" in subsection (5)(A) and replacing the spelled out term with the abbreviation in proposed paragraph (5)(J)2. Ameren Missouri stated that it agreed with these changes.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comments. The commission adds "Revenues from billed" to the beginning of subsection (5)(C), corrects "MWh" in paragraphs (5)(J)4. and 5., and deletes an "s" in subsection (5)(A). The commission also changes "Million British Thermal Units" to "MMBtus" in paragraph (5)(J)2.

COMMENT #40: OPC suggested a rewrite of proposed paragraph (5)(J)6. and the addition of paragraph (5)(J)7. to make it apply to other fuel types besides coal. Ameren Missouri responded that it did not object to the change except that it is not possible to breakdown the commodity from transportation for nuclear fuel. Ameren Missouri suggested that nuclear fuel be excluded from the paragraph.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds the suggestion of OPC appropriate with the exception of nuclear fuel as stated by Ameren Missouri. Therefore, the commission rewrites paragraph (5)(J)6. and adds new paragraph (5)(J)7.

COMMENT #41: OPC and the utilities proposed significant changes and reorganization of proposed subsections (5)(E)–(J). The utilities commented that the rule as proposed is duplicative. The utilities' stated that the current process is working well and should not be drastically modified. The utilities' suggested specific edits because algebraically, proposed (5)(E) and (5)(G) produce the same result as do (5)(F) and (5)(H). Consequently, only (5)(E) and (5)(F) are necessary. For energy, per FERC Order 668, sales of energy (i.e., "revenue") are netted against purchases of energy in each hour, with the net recorded in the general ledger. If sales are greater than purchases in an hour, the ledger will show a net sale, and vice-versa.

Ameren Missouri further commented that with regard to OPC's proposed changes, this request from OPC arose from its dispute in KCPL's last rate case about how production cost modeling results are presented. In that case, the commission required KCPL to follow FERC Order 668, which resolved the issue in KCPL's favor for that case. The utilities opposed OPC's language because it causes a duplication of information, seeks data that is not readily reportable or used for financial reporting, is highly prescriptive without showing a need for such prescriptiveness, and has no clear value. The utilities argued that the commission should not change the rule to address a single-company dispute that has already been resolved.

RESPONSE AND EXPLANATION OF CHANGE: The utilities suggested edits to proposed subsections (5)(E) through (5)(H) require the utilities to provide relevant, clear, and non-duplicative information in periodic FAC reports. The commission finds that the changes proposed by the utilities, and not those proposed by OPC, should be adopted. The commission rewrites subsections (5)(E) and (5)(F),

deletes subsections (5)(G) and (5)(H), and reletters subsections (5)(I) through (5)(M).

COMMENT #42: The utilities suggested changes to proposed subsection (5)(K). They stated that utilities use managerial accounting designations and other than in one case involving KCPL, the commission has not found it necessary to order any other designations. Thus, the utilities suggested clarifying language to this subsection. OPC also suggested that proposed subsection (5)(K) be amended to state that no new costs or revenue types can be added between rate cases.

RESPONSE AND EXPLANATION OF CHANGE: The commission determines that the utilities' proposed language changes are appropriate. Therefore, the commission amends proposed subsection (5)(K). The commission disagrees with OPC's suggested change because the FAC tariff of each utility will prescribe what can and cannot be added. Therefore, no additional change was made as a result of this comment.

COMMENT #43: OPC commented that one (1) regulated electric utility does not file reports with the Securities and Exchange Commission (SEC) as set out in proposed section (6). Thus, OPC suggested adding a sentence to the rule to cover utilities that have foreign ownership and do not file SEC reports. Additionally, OPC suggested that the rule should include a form in order to ensure consistency between utilities and across time. Dogwood commented that "by the commission" should be added after "specified" in proposed paragraph (6)(A)1. Ameren Missouri agreed with the proposed changes.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the suggested changes of Dogwood and OPC to clarify which reports are needed for utilities that do not file reports with the SEC and to clarify that the commission is the entity that can specify the quantifications to be provided in paragraph (6)(A)1. Therefore, the commission will add a sentence in section (6) and add the words "by the commission" to paragraph (6)(A)1. The commission does not agree, however, that the rule should include a specific form for the utilities to use when filing the information. While a single form may initially be convenient for the commission and OPC's use, forms are cumbersome in rules and not easy to change when they need to be updated as filing requirements change at the federal level or otherwise. The rule as proposed and the statutes set out the information that is to be filed and this should be sufficient for consistency.

COMMENT #44: Staff recommended changing the words "Operating" and "Income" to lower case in subparagraph (6)(A)1.L. Ameren Missouri agreed.

RESPONSE AND EXPLANATION OF CHANGE: The commission determines staff's suggested change is appropriate and will make the change to subparagraph (6)(A)1.L.

COMMENT #45: Staff recommended redefining the "quarterly filing requirements" to be consistent with the Missouri Energy Efficiency Investment Act (MEEIA) rules and with past practice for Part VI submissions in proposed paragraph (6)(A)6. so that a full accounting of all requirements of 4 CSR 240-20.093(10) be submitted for the duration of each MEEIA cycle as well as the last quarter and last twelve (12) months required by 4 CSR 240-20.090(6). OPC pointed out an incorrect rule citation in proposed paragraph (6)(A)6. as well. Ameren Missouri agreed with these comments.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comments and will redefine "quarterly filing requirements" and correct the citation in paragraph (6)(A)6.

COMMENT #46: OPC proposed adding a new subsection (6)(C) to assure timely filings and transparency. Ameren Missouri agreed that new subsection (6)(C) should be added.

RESPONSE AND EXPLANATION OF CHANGE: The commis-

sion determines that OPC's new subsection (6)(C) is an appropriate addition and will adopt it.

COMMENT #47: Staff, OPC, and Dogwood each suggested changing "highly confidential" to "confidential" in proposed section (7). Ameren Missouri agreed.

RESPONSE AND EXPLANATION OF CHANGE: The commission has recently amended its rule regarding confidential information and no longer routinely uses a "highly confidential" designation. Therefore, the commission will delete the word "highly" in section (7).

COMMENT #48: The utilities proposed changing "short-term debt interest rate" to "short-term borrowing rate."

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the utilities and will amend that term in proposed section (9), proposed paragraphs (2)(A)7. and (8)(B)2., proposed subparagraphs and (8)(B)2.B. through (8)(B)2.D. and (9)(A)2.C., and proposed parts (9)(A)2.C.(II) through (IV).

COMMENT #49: The utilities recommended several edits to section (8) and specifically changes to proposed subsection (8)(C) for clarification and numerous changes to subsection (8)(F) to add precision and clarity. The utilities explained that this provision was an adaptation of a provision that has been included in Ameren Missouri's tariffs since 2012, and was now also included in the FAC tariffs of KCPL and GMO. The utilities further explained that the provision is designed for when RTOs recognize new "market settlement types" or "schedules" that provide revenues or charge costs that are in the nature of, and possess the characteristics of, revenues or costs that are already included in the FAC. Sometimes the RTOs create a new type or schedule and move costs or revenues that were previously covered in one (1) type or schedule to the new type or schedule. At other times, RTOs will decide to break down a cost into additional subcomponents and report them under the new type or schedule. The utilities' recommended changes were designed to make clear that it is the cost or revenue that is included in the FAC and that the type or schedule is just a designation for those costs or revenues. The utilities also suggested that there need not be a separate provision for the utility and for another party for filing requests to include costs or revenues.

OPC commented at the hearing that it had no objection to the suggestions of the utilities in their joint written comments. OPC offered additional recommendations on reorganizing section (8) by beginning subsection (8)(A) with the last sentence of proposed section (8) and renumbering through proposed subsection (8)(C), and then relettering subsections (8)(D) through (8)(F). OPC also suggested adding "the following filings" to the end of proposed section (8) for clarity and using the abbreviation for kilowatt-hours and megawatt-hours in proposed subparagraphs (8)(B)1.A. and (8)(B)1.D. OPC further suggested that proposed subparagraphs (8)(B)1.C. and D. were duplicative. Ameren Missouri agreed with these suggestions.

OPC also commented that additional language should be added to proposed subsection (8)(A) to help readers of testimony filed to identify what cost/revenues changed from accumulation period to accumulation period and why they changed. Ameren Missouri agreed with the basic additions of new paragraphs requiring the accumulation period NBEC, ANEC, and FPA and an explanation detailing the factors that contributed to the FPA amount. However, Ameren Missouri objected to the three (3) additional requirements for an explanation of each RAM cost, explanation of each RAM revenue, and quantification of hedging gains and losses with commissions paid to make such hedges listed separately. Ameren Missouri objected because the comparison sought for the first two (2) of these explanations would be irrelevant. Additionally, Ameren Missouri explained that these two (2) provisions are very subjective and could lead to disputes about the adequacy of the explanation. With regard to suggested part III., Ameren Missouri stated that this information is provided in periodic reports and should not be duplicated in the rule.

Staff suggested a few minor changes to proposed section (8) in order to clarify and be consistent with the remainder of the rule. Staff suggested changing “schedules” to “sheets” in proposed section (8) and paragraph (8)(J)3. for consistency. Staff also suggested reorganization and relettering of proposed subparagraphs (8)(B)1.G. and H. because proposed parts (8)(B)1.G.(I)-(III) should not be subordinate to proposed subparagraph (8)(B)1.G. Staff and Ameren Missouri suggested changing the terms “costs and revenues” in subsection (8)(F) to be consistent with the terminology used in proposed paragraphs (8)(A)9. and (2)(C)3.

RESPONSE AND EXPLANATION OF CHANGE: The commission determines the reorganization, clarification, and minor textual comments of Ameren Missouri, staff, and OPC are reasonable and should be adopted. The commission also determines OPC’s suggested change of adding language to the end of proposed section (8) adds clarity and should be adopted. With regard to the addition of OPC’s proposed new paragraphs under proposed subsection (8)(A), the commission agrees with Ameren Missouri that these changes should be adopted with the exception of the items requiring an explanation of each RAM cost, explanation of each RAM revenue, and quantification of hedging gains and losses with commissions paid to make such hedges listed separately. The commission will not adopt those provisions.

Therefore, the commission adopts the utilities clarification in proposed subsection (8)(C) and adopts new subparagraphs under proposed subsection (8)(A). With the exceptions stated below, the commission also makes the other language changes to proposed section (8), paragraph (8)(J)3., and subparagraphs (8)(B)1.A. and (8)(B)1.D. and rewrites subparagraphs (8)(B)1.C. and D. as suggested by OPC, staff, and Ameren Missouri. The commission reorganizes and rennumbers section (8) so that subsection (8)(A) begins at the third sentence of proposed section (8). In order to avoid duplication and clarify the rule, the commission rejects staff’s proposed deletion of “the FPA” in proposed section (8) and OPC’s proposed addition to proposed section (8) of “the following filings.” The commission also adopts the suggested changes in subsection (8)(F) for consistency with other parts of the rule as suggested by staff and Ameren Missouri. After the incorporation of all the changes and reorganizations, the entire section is renumbered accordingly.

COMMENT #50: OPC commented that a new subsection (6)(D) and additional language added to proposed subsection (8)(G) for the purpose of providing consequences for the failure to provide reports. Ameren Missouri opposed the inclusion of this language arguing that these provisions are unlawful and unnecessary.

RESPONSE: The commission finds that OPC’s suggestion is unnecessary in that failure to file required reports has not been an issue in the electric industry. Further, there is a question as to whether the commission has authority to impose punitive sanctions for a utility failing to follow a rule other than those set out in the complaint statute. Section 386.266, RSMo, which establishes FAC clauses, does not give any specific authority in this regard. Therefore, the commission makes no change as a result of these comments.

COMMENT #51: OPC commented that the time to provide responses to data requests should be shortened from a twenty (20) days to ten (10) calendar days in proposed subsections (8)(H) and (9)(D) because of the short timeframes available for discovery in these proceedings. Ameren Missouri responded that it agreed with the general concept of shortening the response times but proposed fifteen (15) calendar days instead. Ameren Missouri also suggested that if the response time is shortened the time for giving notice of the need for additional time to object should also be shortened.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees that because these are statutorily expedited cases, the timeframes for data request responses should be shortened. The commission will adopt Ameren Missouri’s proposed timeframes and will also shorten the timeframe for giving notice of additional time to answer. The commission will amend subsections (8)(H) and (9)(D)

to alter the response and objection timeframes for data requests.

COMMENT #52: OPC commented that language should be added to proposed sections (8) and (9) to clarify that a party’s silence or recommendation to approve a FAR does not necessarily mean they agree with what has been filed by a utility. Ameren Missouri argued strongly that this proposed language should not be included as it makes no sense for an affirmative recommendation that an FAC filing be approved to later be disavowed by the party filing it. Further, Ameren Missouri stated that with regard to “silence” in an FAC proceeding, there has never been a problem where a cost or revenue that was included or excluded by mistake that was not able to be remedied later.

RESPONSE: The commission agrees with Ameren Missouri’s arguments. No change was made as a result of this comment.

COMMENT #53: Dogwood suggested amending proposed subsections (8)(K) and (9)(G) by deleting the scope-limiting phrase referring to information submitted pursuant to 4 CSR 240-2.135 and changing it to information required “by this rule.” Dogwood also suggested changing the word “shall” to “will” in proposed paragraph (9)(G)2. Ameren Missouri agreed with Dogwood’s comments.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with Dogwood’s comments and will amend subsections (8)(K) and (9)(G) and paragraph (9)(G)2.

COMMENT #54: OPC commented that a new subsection under proposed section (9) should be added directing certain filings be made in separate cases and not in the FAR adjustment case. Ameren Missouri responded that it did not understand OPC’s suggestion.

RESPONSE: OPC’s suggestion does not clarify the rule and the commission will not adopt it. Thus, the commission makes no change as a result of these comments.

COMMENT #55: Ameren Missouri suggested adding a new subparagraph (9)(A)2.B. in order to clarify that any and all corrections, proposed adjustments, or refunds ordered are considered.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with Ameren Missouri’s comment and will adopt it. The commission adds a new subparagraph (9)(A)2.B. and reletters the remaining subparagraphs.

COMMENT #56: OPC requested the commission add a requirement in proposed subsection (9)(C) for a utility to be current on the submission of its periodic reporting requirements as required by section (5) when it files its RAM true-up. Ameren Missouri stated that it did not object to this change.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds the suggestion of OPC reasonable and will adopt it. The commission amends subsection (9)(C) to adopt OPC’s suggested language.

COMMENT #57: Staff and Dogwood commented that text needed to be deleted from proposed subsection (9)(D) as it was redundant. OPC commented that the rule reference is incorrect in proposed subsection (9)(D) as that rule is being rescinded. Ameren Missouri agreed with these comments.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comments and will delete part of proposed subsection (9)(D). Because the commission is adopting this change, OPC’s suggestion is moot. The commission amends subsection (9)(D) accordingly.

COMMENT #58: Staff suggested amending proposed section (9) to more clearly state the purpose of the true-up to a RAM. Ameren Missouri commented that it agreed with this change.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds staff’s proposed change to section (9) is appropriate and

adds a phrase to the end of section (9).

COMMENT #59: Staff proposed deleting language referring to tariff sheets in proposed paragraphs (9)(F)1. and 2. Staff also commented that to be more accurate, “schedules” should be “sheets” in section (10). Ameren Missouri agreed with this change but stated that some of the proposed language in paragraph (9)(F)2. should remain in the rule.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with staff’s change but will retain the language in paragraph (9)(F)2. regarding a determination that the true-up amount is incorrect. Thus, the commission deletes text from proposed paragraphs (9)(F)1. and (9)(F)2. and changes “schedules” to “sheets” in section (10).

COMMENT #60: The utilities commented that proposed subsection (10)(A) should be corrected so that the utility must file a new general rate proceeding within four (4) years of the effective date of the new rates, not within four (4) years of the effective date of the commission order approving those rates.

RESPONSE: Paragraph 386.266.5(3), RSMo, requires that the effective date of new rates be no later than four (4) years after the effective date of the commission’s order implementing the adjustment mechanism. Thus, the commission will not change this subsection. No change was made as a result of this comment.

COMMENT #61: Dogwood suggested replacing the word “costs” in proposed section (11) with “fuel and purchased power costs and fuel-related revenue.” Ameren Missouri replied that it agreed with Dogwood’s comments but that “including transportation” should also be added to the provision.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds that section (11) should be amended, but only to add “and revenues.” The statute includes “transportation” and the commission has traditionally decided what types of transportation are or are not included based on the facts of the particular case.

COMMENT #62: OPC recommends adding language to proposed section (11) to highlight the timing of prudence reviews and to set out in the rule the “reasonable person” standard. OPC argues that its proposed language will clarify in the staff recommendation filed in the prudence review, whether costs and revenues were reviewed in a recent general rate case or the staff’s prudence audit. OPC recommends the “reasonable person” standard be included to codify the standard that the commission has applied in past prudence reviews. Ameren Missouri objected to OPC’s language. Ameren Missouri stated that there is no need to restate, paraphrase, or codify legal principles and standards that have developed in case law. Ameren Missouri commented that the parties are capable of briefing the law regarding legal standards and the commission is capable of applying the law to the facts on a case-by-case basis. Ameren Missouri also stated that OPC’s language is imprecise since it uses the term “burden of proof” which consists of two components (burden of production and burden of persuasion). KCPL also objected to putting the legal standard from case law into the rule. Empire also concurred with the other utilities.

RESPONSE: The commission finds that the legal standard has been applied on a case-by-case basis since the statute has been in effect. The commission agrees with the utilities that the commission should not codify the legal standard in the regulation. Therefore, no change was made as a result of these comments.

COMMENT #63: The utilities, staff, OPC, and Dogwood suggested changes to proposed section (13). Staff, Dogwood, and the utilities suggested clarifying the time of the studies by adding a directive that the system loss study “must be” within the stated timeframe. Staff also suggested changing the timeframe to “no earlier than four (4) years” as opposed to two (2) years. The utilities suggested rewording the next-to-last sentence to clarify that it applies to the initial request

and modifying the last sentence because it should be the same as for the initial request of the RAM. OPC suggested setting the last two sentences out as separate subsections for clarity.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds that the suggested changes are reasonable and add clarity to the provision. Therefore, the commission will adopt the proposed changes to section (13) by rewriting it. The commission also sets out the last two (2) sentences as new subsections (13)(A) and (13)(B).

COMMENT #64: OPC commented that proposed subsection (14)(A) should end after “base energy costs” and the remaining part of the sentence be deleted because it was repetitive of section (14). Ameren Missouri agreed this change should be made.

RESPONSE AND EXPLANATION OF CHANGE: The commission concurs and will delete the end of subsection (14)(A).

COMMENT #65: OPC commented that proposed section (15), in particular subsection (15)(B), was not needed because there were no pre-existing experimental regulatory plans currently in operation. Ameren Missouri agreed.

RESPONSE: The rulemaking process has many steps and these rules will not become effective immediately upon a commission decision on the final order of rulemaking. It is possible that a commission decision or other ruling regarding an experimental regulatory plan could become effective before these rules become effective. Therefore, the commission will not delete section (15) or subsection (15)(B).

COMMENT #66: Staff suggested a change to proposed section (17) for consistency.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds that section (17) could be shortened considerably without losing its meaning. Therefore, the commission rewrites section (17).

COMMENT #67: Dogwood suggested adding “access to” after “provided” in proposed subsection (17)(A). Ameren Missouri agreed with this change.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds that Dogwood’s proposed language may allow parties to access necessary information without requiring the physical exchange of documents. Therefore, the commission will adopt the change and amend subsection (17)(A).

COMMENT #68: Ameren Missouri suggested deleting the last part of proposed section (22) so that the commission was not creating the right to a hearing where none previously existed.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with this comment and will delete the text in section (22) after “good cause.”

4 CSR 240-20.090 Fuel and Purchased Power Rate Adjustment Mechanisms

(1) The following subsections define various terms as used in this rule:

(A) Accumulation period means the time period set by the commission in the general rate proceeding over which historical fuel and purchased power costs and fuel-related revenues are accumulated for purposes of determining the actual net energy costs (ANEC). An accumulation period may be a time period from three (3) to twelve (12) months with the timing and number of accumulation periods to be determined in the general rate proceeding establishing, continuing, or modifying the FAC;

(B) Actual net energy costs (ANEC) means prudently incurred fuel and purchased power costs net of fuel-related revenues of a rate adjustment mechanism (RAM) during the accumulation period;

(D) Base factor (BF) means base energy costs rate or rates that are established in a general rate proceeding and are included in the utility’s

fuel adjustment clause (FAC). The base factor rates may vary within a year;

(I) Fuel adjustment clause (FAC) means a mechanism established in a general rate proceeding which is designed to recover from or return to customers the fuel and purchased power adjustment (FPA) amounts through periodic changes to the fuel adjustment rates (FAR) made outside a general rate proceeding;

(K) Fuel and purchased power adjustment (FPA) amount means the dollar amount intended to be recovered from or returned to customers during a given recovery period of a FAC. The FPA may be positive or negative. It includes:

1. The difference between the ANEC and NBEC of the corresponding accumulation period taking into account any incentive ordered by the commission;

2. True-up amount(s) ordered by the commission prior to or on the same day as commission approval of the FAR adjustment;

3. Prudence adjustment amount(s) ordered by the commission since the last adjustment to the FAR;

4. Interest; and

5. Any other adjustment amount(s) ordered by the commission;

(L) Fuel and purchased power costs means prudently incurred and used fuel and purchased power costs, including transportation costs. Prudently incurred costs do not include any increased costs resulting from negligent or wrongful acts or omissions by the utility.

1. If off-system sales revenues are not reflected in the rate adjustment mechanism (RAM), fuel and purchased power costs shall only reflect the prudently incurred fuel and purchased power costs necessary to serve the electric utility's Missouri retail customers.

2. Unless otherwise approved by the commission, fuel and purchased power costs do not include environmental costs as defined in 4 CSR 240-20.091(1) or renewable energy standard compliance costs as defined in 4 CSR 240-20.100(1). If such costs are included in fuel and purchased power costs, they shall not be included in another rate adjustment mechanism.

(M) Fuel-related revenues means those revenues related to the generation, sale, or purchase of energy or capacity. Fuel-related revenues may include, but are not limited to, off-system sales, emission allowance sales, and renewable energy credits or certificates whenever such renewable energy credits or certificates are not included in a Renewable Energy Standard Rate Adjustment Mechanism (RESRAM) in compliance with 4 CSR 240-20.100;

(O) Interest means monthly interest at the utility's short-term borrowing rate to accurately and appropriately remedy any over- or under-billing of the FPA amount during an accumulation period and recovery period, and any commission ordered refund of imprudently incurred costs;

(Q) Megawatt (MW) is one million (1,000,000) watts;

(R) Megawatt hour (MWh) is one million (1,000,000) watt hours or one thousand (1,000) kilowatt hours (kWh);

(S) MCF is one thousand (1,000) cubic feet of natural gas;

(T) MMBtu is one million (1,000,000) British thermal units (Btus);

(U) Net base energy costs (NBEC) means the fuel and purchased power costs net of fuel-related revenues billed during the accumulated period in base rates;

(V) Other parties means any party to the applicant's most recent general rate proceeding in which the RAM at issue was established, continued, or modified;

(W) Rate adjustment mechanism (RAM) refers to either a commission-approved fuel adjustment clause (FAC) or a commission-approved interim energy charge (IEC);

(X) Rebase base energy costs means the base energy cost as reset in each general rate proceeding in which the FAC is continued or modified;

(Y) Recovery period means the period over which the FAR is applied to retail customers' bills to recover the FPA. A recovery period is determined in a general rate case and shall not be longer than twelve (12) billing months;

(Z) Staff means the staff of the Public Service Commission; and

(AA) True-up amount means—

1. For a FAC, the true-up amount shall be the difference between the FPA and the utility's aggregate FAC charges billed for a recovery period.

- A. If the aggregate FAC charges billed for recovery period are more than the FPA, the true-up amount will be negative.

- B. If the aggregate FAC charges billed for a recovery period are less than the FPA, the true-up amount will be positive.

- C. The electric utility may request in its general rate case to use the final Regional Transmission Organization (RTO) determinants to update the FPA for its true-up if the electric utility belongs to an RTO where the RTO may, after the beginning of the recovery period, finalize the determinants used to calculate the FPA for the recovery period.

2. For an IEC, the true-up amount shall be determined as follows for each consecutive twelve- (12-) month period—

- A. If the actual fuel and purchased power cost is greater than the IEC ceiling, the true-up amount shall be zero;

- B. If the actual fuel and purchased power cost is less than the IEC ceiling and greater than the IEC floor, the true-up amount shall be the difference between the actual fuel and purchased power cost and the combined IEC billed plus the base energy cost. The customers will be credited/refunded this amount; or

- C. If the actual fuel and purchased power cost is less than the IEC floor, the true-up amount shall be the aggregate IEC billed. The customers will be credited/refunded this amount.

(2) Establishment, Continuance, or Modification of a RAM. An electric utility may only file a request with the commission to establish, continue, or modify a RAM in a general rate proceeding and must rebase base energy costs in each general rate proceeding in which the FAC is continued or modified. Any party in a general rate proceeding may seek to continue, modify, or oppose the RAM. The commission shall approve, modify, or reject such request only after providing the opportunity for a full hearing in a general rate proceeding. The commission shall consider all relevant factors that may affect the costs or overall rates and charges of the petitioning electric utility.

(A) The electric utility shall file the following supporting information, in electronic format, where available, with all links and formulas intact, as part of, or in addition to, its direct testimony:

1. An example of the notice to be provided to customers during the pendency of the general rate proceeding where the RAM is under consideration, which shall be approved by the commission. The notice shall include a description of how its proposed RAM shall be applied to monthly bills, the amount of the proposed change in base rates caused by the rebase of energy costs, and the estimated impact on a typical residential customer's bill resulting from the rebase of energy costs;

2. An example customer bill(s) covering all of the electric utility's rate classes showing how the proposed RAM shall be separately identified on affected customers' bills in accordance with section (12);

3. Proposed RAM tariff sheets;

4. A detailed description of the design and intended operation of the proposed RAM;

5. A detailed explanation of how the proposed RAM is reasonably designed to provide the electric utility a sufficient opportunity to earn a fair return on equity;

6. A detailed explanation of how the proposed FAC shall be true-up for over- and under-billing, or how and when the refundable portion of the proposed IEC shall be true-up;

7. A detailed description of how the electric utility's monthly short-term borrowing rate will be defined and how it will be applied, during the accumulation period and the recovery period, to over- and under-billed amounts and prudence disallowances;

8. A detailed description of how the proposed RAM is compatible with the requirement for prudence reviews in section (11);

9. A detailed explanation of the fuel and purchased power costs,

including transportation, that are to be considered in determining the amount to be recovered under the proposed RAM with identification of the specific account and any other designation ordered by the commission where that cost will be recorded on the electric utility's book and records.

10. A detailed explanation of the fuel-related revenues that are to be considered in determining the amount to be recovered under the proposed RAM with identification of the specific account and any other designation ordered by the commission where that revenue will be recorded on the electric utility's books and records;

11. A detailed explanation of any incentive feature in the proposed RAM with the expected benefit and cost each feature is intended to produce for both the electric utility and its Missouri retail customers;

12. A detailed explanation of any rate volatility mitigation feature in the proposed RAM;

13. A detailed explanation of any feature of the proposed RAM and any existing electric utility policy, procedure, or practice that ensures only prudent fuel and purchased power costs and fuel-related revenues are recovered through the proposed RAM, including, but not limited to, utilization of competitive bidding or other sourcing or sales practices;

14. A detailed explanation of any change to the electric utility's business risk resulting from implementation of the proposed RAM, in addition to any other changes in business risk the electric utility may experience;

15. A level of efficiency for each of the electric utility's generating units determined by the results of heat rate/efficiency tests or monitoring that were conducted or obtained on each of the electric utility's steam generators, including nuclear steam generators, heat recovery steam generators, steam turbines and combustion turbines within twenty-four (24) months preceding the filing of the general rate increase case.

A. The results should be filed in a table format by generating unit type, rated megawatt (MW) output rating, the numerical value of the latest result and the date of the latest result;

B. The electric utility shall provide documentation of the actual test/monitoring procedures. The electric utility may, in lieu of filing the documentation of these procedures with the commission, provide them to the staff, OPC, and to other parties as part of the workpapers it provides in connection with its direct case filing. If the electric utility submits the results in workpapers, it will provide a statement in its testimony as to where the results can be found in workpapers;

16. Information that shows that the electric utility has in place a long-term resource planning process;

17. If the electric utility proposes to include emissions allowances costs or sales revenue in the proposed FAC and not in an environmental cost recovery mechanism, a detailed explanation of its emissions management policy, and its forecasted environmental investments, emissions allowances purchases, and emissions allowances sales;

18. For each power generating unit the electric utility owns or controls, in whole or in part, the electric utility shall file graphs, accompanied by the data supporting the graphs, for each month over the immediately preceding five (5) years, showing the monthly equivalent availability factor, the monthly equivalent forced outage rate, and the length and timing of each planned outage of that unit; and

19. Authorization for the staff to release to all parties to the general rate proceeding in which the establishment, continuation, or modification of a RAM is requested, the previous five (5) years of historical surveillance monitoring reports the electric utility submitted in EFIS.

(B) In lieu of providing copies of information, an electric utility filing for modification or continuance of a RAM in which the information required in subsection (2)(A) has been previously filed with the commission as part of a general rate proceeding and has not changed in any manner, may certify that the information has not

changed and provide to all parties the general rate case number and location in EFIS, including the EFIS item and page number where the information can be found. If there are parties to the RAM proceeding that would not have access to the rate case information, the electric utility must provide copies of the information to that party.

(C) An electric utility filing to continue or modify a RAM must also provide to all parties any additional information the commission ordered the electric utility to provide when seeking to continue or modify its RAM.

(D) The commission may approve the establishment, continuation, or modification of a RAM and associated tariff sheets provided that it finds that the RAM is reasonably designed to provide the electric utility with a sufficient opportunity to earn a fair return on equity and so long as the tariff sheets that implement the RAM conform to the RAM approved by the commission. In its determination, the commission may consider, but is not limited to, considering—

1. Fuel and purchased power costs, fuel-related revenues that would flow through the RAM, or other factors it deems appropriate;

2. Any change in business risk of the utility resulting from establishment, continuation, or modification of the RAM in setting the electric utility's allowed return on equity in any general rate proceeding, in addition to any other changes in business risk experienced by the electric utility; and

3. In determining which fuel and purchased power cost types and fuel-related revenue types to include in a RAM, the commission may consider the magnitude of each cost or revenue type, the ability of the utility to manage each cost or revenue type, the volatility of each cost or revenue type and the incentive provided to the utility as a result of the inclusion or exclusion of each cost or revenue type. The commission may, in its discretion, determine what portion of prudently incurred fuel and purchased power costs and fuel-related revenues may be recovered from and/or returned to customers through a RAM and what portion shall be included in the determination.

(E) Any party to the general rate proceeding may oppose any RAM and/or may propose alternative RAMs for the commission's consideration.

(F) The RAM, and any adjustments to the FARs if a FAC is approved, shall be based on historical fuel and purchased power costs and fuel-related revenues.

(G) For an electric utility requesting a FAC, the utility shall include in its proposed tariff sheets provisions which shall accurately and appropriately remedy any true-up amount as part of the electric utility's determination of its FPA for a change to its FARs. The proposed tariff sheets shall include, at a minimum:

1. When the electric utility will file for a true-up;

2. How the true-up amount will be determined including, but not limited to, any recalculation of the FPA; and

3. How and when the true-up amount will be recovered.

(H) For an electric utility with an IEC mechanism, a true-up must be filed within sixteen (16) months of the operation of law date of the IEC and be filed annually thereafter.

(I) Any party to the general rate proceeding may propose a cap on the periodic changes to the fuel adjustment rate (FAR), to mitigate volatility in rates, provided it proposes a method for the utility to recover all of the costs it would be entitled to recover in the FAC, together with interest thereon.

(3) Discontinuance of a RAM. The tariff sheets that define and implement a RAM shall only be discontinued and withdrawn after the opportunity for a full hearing in a general rate proceeding. The commission shall consider all relevant factors which may affect the costs or overall rates and charges of the petitioning electric utility.

(A) When an electric utility files a general rate proceeding in which it requests that its RAM be discontinued, the electric utility shall file with the commission, and serve on the parties, the following supporting information, in electronic format, where available, with all links and formulas intact, as part of, or in addition to, its direct testimony:

1. An example of the notice to be provided to customers during the pendency of the general rate proceeding in which discontinuation is being proposed. The notice shall be approved by the commission and should include a description of why the utility believes the RAM should be discontinued;

2. A detailed explanation of how the electric utility proposes to discontinue its RAM.

A. If requesting to discontinue its FAC, the electric utility shall include the following in its explanation:

(I) The ending date of the last FAC accumulation period;

(II) The beginning and ending dates of the recovery period for that accumulation period; and

(III) The procedure for the true-up associated with the recovery period for that accumulation period.

B. If requesting to discontinue its IEC, the electric utility shall include a detailed explanation of how any over-billing will be returned to the electric utility's retail customers;

3. A detailed explanation of why the RAM is no longer necessary to provide the electric utility a sufficient opportunity to earn a fair return on equity;

4. A detailed explanation of any impact on setting the electric utility's allowed return on equity in any rate proceeding as a result of the change to the electric utility's business risk resulting from discontinuation of its RAM, in addition to any other changes in business risk experienced by the electric utility; and

5. Any additional information that the commission ordered the electric utility to provide when seeking to discontinue its RAM.

(5) Periodic Reports. So long as it has a RAM in effect, each electric utility shall submit a monthly report through EFIS and to staff, OPC, and other parties. Each periodic report shall be verified by the affidavit of an electric utility representative(s) who has knowledge of the subject matter and who attests to both the veracity of the information and his/her knowledge of it. The information identified in this section shall be provided in electronic format, where available, with all links and formulas intact. Each periodic report shall contain the following information by month:

(A) The billing month actual energy usage in kWh by rate class and voltage level;

(B) Net base energy costs billed in base rates by rate class and voltage level along with workpapers with all links and formulas intact detailing the calculation;

(C) Revenues from billed FARs by voltage level along with workpapers (with formulas intact) detailing the calculation;

(D) The fuel and purchased power costs and fuel related revenues for each month, year-to-date, and prior calendar year by account and any other designation ordered by the commission. If accounts, sub-accounts, and other designations are not comparable to costs and revenues listed in the electric utility's FAC tariff sheets, the electric utility shall also include the costs as listed in the tariff sheets;

(E) Energy.

1. RTO market transactions—

A. Revenue net of the cost of any energy purchases in the RTO market;

B. MWh's net of the MWh's for any energy purchases in the RTO market.

2. Physical bilateral transactions—

A. Total MWh's;

B. Total revenues and costs;

(F) Capacity.

1. If sold within an RTO market—

A. MW capacity sold net of MW capacity purchased;

B. Revenue received net of the cost of capacity purchased.

2. Third party bilateral transactions—

A. Total MW;

B. Total revenue and costs;

(G) Reason for the purchase of capacity in the RTO markets;

(H) The following information for the period, by generation facility, by fuel type, and by total for the electric utility:

1. Quantity of fuel burned, with the designation of the units in which the quantity is reported (e.g., tons, MCF, MMBtu);

2. MMBtu of fuel burned;

3. Average cost of fuel per MMBtu, by fuel type;

4. Aggregate megawatt hours (MWhs) of net energy generated by the generating facility at each generation station, where net energy generated is the gross generation net of the station use;

5. Average cost of fuel per MWh;

6. Excluding nuclear fuel, the cost of fuel purchased by fuel type and, a breakdown between the cost of the commodity, cost of freight and cost of transportation by fuel type; and

7. Other fuel cost types designated in the RAM.; and

(I) A detailed description of the accounts or other designations utilized by the electric utility or ordered by the commission, where each fuel and purchased power cost or fuel-related revenue is recorded. The report shall identify any changes since the last periodic report to accounts or other designations of costs and revenue types utilized by the utility or otherwise ordered to be used by the commission in the general rate proceeding where the RAM was approved;

(J) Each revision to the electric utility's internal policy for participating in—

1. RTO ancillary services market, if the RTO in which the electric utility participates has such a market;

2. RTO energy markets by RTO;

3. RTO capacity markets by RTO;

4. Financial swaps or other financial-only transactions (if such financial transactions are included in the electric utility's RAM);

(K) Any additional information that the commission has ordered the electric utility to provide in its periodic reports.

(6) Surveillance Monitoring Reports. So long as it has a RAM in effect, each electric utility shall submit in EFIS and submit to staff, OPC, and other parties, a surveillance monitoring report with all links and formulas intact, within fifteen (15) days after each of the electric utility's United States Securities and Exchange Commission (SEC) 10-Q and 10-K filings are due. If an electric utility with foreign ownership has a RAM but does not file with the SEC, then the surveillance monitoring reports shall be filed in quarterly intervals as identified in the electric utility's general rate proceedings. The surveillance monitoring report shall be verified by the affidavit of an electric utility representative(s) who has knowledge of the subject matter and who attests to both the veracity of the information and his/her knowledge of it. These surveillance monitoring reports are confidential.

(A) There are six (6) parts to the electric utility surveillance monitoring report. Each part, except Part I—Rate Base Quantifications, shall contain information for the last twelve- (12-) month period and the last quarter based on total company electric operations data and on Missouri jurisdictional operations data. Part I—Rate Base Quantifications, shall contain only information as of the ending date of the period being reported. The content of the surveillance monitoring report follows:

1. Part I—Rate Base Quantifications. The quantification of rate base items in Part I shall be consistent with the methods and procedures used in the electric utility's most recent rate proceeding before the commission, unless otherwise specified by the commission. Part I shall consist of specific quantifications of the following rate base items:

A. Plant-in-service;

B. Reserve for depreciation;

C. Materials and supplies;

D. Cash working capital;

E. Fuel inventory;

F. Prepayments;

G. Other regulatory assets;

H. Customer advances;

I. Customer deposits;

J. Accumulated deferred income taxes;

K. All other items included in the electric utility's rate base

from its most recent general rate proceeding before the commission;

- L. Net operating income from Part III; and
- M. Calculation of the overall return on rate base;

2. Part II—Capitalization Quantifications. Part II shall consist of specific quantifications of the following capitalization-related items:

- A. Common stock equity (net);
- B. Preferred stock (par or stated value outstanding);
- C. Long-term debt (including current maturities);
- D. Short-term debt; and
- E. Weighted cost of capital including component costs;

3. Part III—Income Statement. Part III shall consist of an income statement containing specific quantifications of—

A. Operating revenues, including revenues from sales to industrial, commercial, and residential customers, sales for resale and all other components of total operating revenues;

B. Operating and maintenance expenses in fuel expense, production expense, purchased power energy, and purchased power capacity;

- C. Transmission expense;
- D. Distribution expense;
- E. Customer accounts expense;
- F. Customer service and information expense;
- G. Sales expense;
- H. Administrative and general expense;
- I. Depreciation, amortization, and decommissioning expense;
- J. Taxes other than income taxes;
- K. Income taxes; and
- L. Quantification of heating degree and cooling degree days, both actual and normal;

4. Part IV—Jurisdictional Allocation Factors. Part IV shall consist of a list of the jurisdictional allocation factors used for determining the electric utility's rate base, capitalization quantification, and income statement;

5. Part V—Financial Data Notes. Part V shall consist of notes to the reported financial data including, but not limited to:

- A. Out-of-period adjustments;
- B. Specific quantification of material variances between actual and budget financial performance;
- C. Specific identification and quantification of material variances between current twelve- (12-) month period and prior twelve- (12-) month period revenue;
- D. The expense levels of each item the commission has ordered be tracked in the RAM;
- E. Budgeted capital projects; and
- F. Events that materially affect debt or equity surveillance components;

6. Part VI—Missouri Energy Efficiency and Investment Act (MEEIA). An electric utility with approved MEEIA demand-side management programs and/or an approved demand-side programs investment mechanism shall include all filing requirements of 4 CSR 240-20.093(10) for the entire period of program delivery approved by the commission, the last twelve- (12-) month period, and the last quarter.

(C) If the electric utility has any other approved cost recovery mechanisms that require submission of surveillance monitoring reports, the electric utility shall submit a single surveillance monitoring report incorporating these reporting requirements for all cost recovery mechanisms.

(7) Budget Report. Annually the electric utility shall submit in EFIS and provide to staff, OPC, and other parties, its approved budget for the upcoming budget year, in electronic format with all links and formulas intact and in a layout similar to its surveillance monitoring report. The budget submission shall provide a quarterly and annual quantification of the electric utility's income statement. The budget report shall be submitted within thirty (30) days of when the electric utility's budget is approved by the electric utility's management or within sixty (60) days of the beginning of the electric utility's fiscal year, whichever is earliest. The budget submission shall be designat-

ed "confidential" and treated accordingly.

(8) Periodic Changes to Fuel Adjustment Rates. An electric utility that has a FAC shall file proposed tariff sheet(s) to adjust its FARs following each accumulation period. The FARs shall be designed to bill the electric utility's customers, in the aggregate, the FPA if the FPA is positive, or return the FPA to the utility's customers if the FPA is negative.

(A) When an electric utility files with the commission tariff sheet(s) to change its fuel adjustment rates and serves it upon parties, the filed tariff sheet(s) shall be accompanied by—

1. Prefiled testimony that shall include:

- A. The proposed FARs;
- B. The change in the FARs;
- C. The impact of the proposed FARs on the monthly bill of the electric utility's typical residential customer, together with the definition of typical residential customer used to determine that impact;
- D. The accumulation period NBEC, ANEC, and FPA; and
- E. An explanation that details the factors which contributed to the FPA amount.

2. The following information in electronic format, where available, with formulas intact:

A. For the period of historical costs which are being used to propose the fuel adjustment rates—

- (I) The calendar month actual energy sales in kWh by rate class and voltage level;
- (II) The actual fuel costs designated in the FAC, listed by generating station and fuel type;
- (III) The MWh and actual purchased power costs, as purchased power is defined in the electric utility's FAC, differentiated between energy costs and demand costs;
- (IV) Transmission costs designated in the electric utility's FAC;

(V) Net off-system sales revenues;

(VI) Fuel-related revenues other than off-system sales revenues separated by type of fuel-related revenue;

(VII) Net base energy costs collected in permanent rates;

(VIII) Any additional requirements the commission ordered;

(IX) Calculation of each of the proposed fuel adjustment rates;

(X) Calculations of the voltage differentiation in the proposed FAC rates, if any, to account for differences in line losses by service voltage level; and

(XI) Extraordinary costs not to be passed through, if any, due to such costs being an insured loss, or subject to reduction due to litigation or for any other reason;

B. The electric utility's monthly short-term borrowing rate, along with—

(I) An explanation of how that rate was determined;

(II) The calculation of the short-term borrowing rate;

(III) Identification of any changes in the basis(es) used for determining the short-term borrowing rate since the last FAC rate adjustment;

(IV) If there is a change in the basis(es) used for determining the short-term borrowing rate, a copy(ies) of the changed basis(es) or identification of where it/they may be reviewed;

3. Workpapers, in electronic format, where available, with all links and formulas intact, supporting all items in paragraphs (8)(A)1. and (8)(A)2. that are not provided in the electric utility's section (5) periodic monthly report submissions shall be submitted through EFIS and provided to staff, OPC, and other parties;

(B) The electric utility shall initiate a new case with an ER designation for each periodic adjustment of its FARs;

(C) An electric utility with a FAC shall file an adjustment to its FARs within two (2) months of the end of each accumulation period after the effective date of the FAC;

(D) The tariff sheets reflecting the RAM define the costs and revenues that can be included in the RAM, subject to the following:

1. If an RTO implements a new market settlement type or schedule covering a cost or revenue that the electric utility or another party believes possesses the characteristics of, and is of the nature of, an RTO revenue or cost approved by the commission for inclusion in the electric utility's FAC in the previous general rate proceeding, the costs or revenues covered by the new market settlement type or schedule will be included in the utility's FAC if the following requirements are met:

A. The party proposing the inclusion of costs or revenues covered by a new market settlement type or schedule shall make a filing before the commission in the case in which the electric utility's then-current FAC was approved giving notice of the new market settlement type or schedule no later than sixty (60) days prior to the due date for the electric utility's next FAR filing made to adjust the electric utility's FAR;

B. The filing shall include, but is not be limited to:

(I) Identification of the account affected by the change;

(II) A description of the new market settlement type or schedule demonstrating that the cost or revenue it covers possesses the characteristics of, and is of the nature of, a cost or revenue allowed in the electric utility's FAC by the commission in the most recent general rate proceeding; and

(III) Identification of the preexisting schedule, or market settlement type which the new settlement type or schedule replaces or supplements;

C. To challenge the inclusion of a new market settlement type or schedule, a party shall make a filing before the commission including the reasons why it believes the electric utility did not show that the cost or revenue covered by the new market settlement type or schedule possesses the characteristics of, and is of the nature of, a cost or revenue included in the electric utility's FAC that was approved by the commission in the preceding general rate proceeding.

(I) The filing shall be made within thirty (30) days of the electric utility's filing.

(II) The party requesting the inclusion of costs or revenues covered by a new market settlement type or schedule shall bear the burden of proof to show that the costs or revenues possess the characteristics of, and are of the nature of, costs or revenues allowed in the electric utility's FAC by the commission in the most recent general rate proceeding.

(III) If a party challenges the inclusion of the costs or revenues covered by the new market settlement type or schedule, the challenge will not delay the FAR filing schedule.

(IV) If the challenge is upheld by the commission, the costs will be refunded or revenues returned along with interest in the next periodic adjustment;

(E) The electric utility must be current on its submission of its surveillance monitoring reports;

(F) Staff shall review the information filed and submitted by the electric utility in accordance with this rule and additional information obtained through discovery, if any, to determine if the proposed adjustment to the FARs is in accordance with the provisions of this rule, section 386.266, RSMo, and the FAC mechanism established, continued, or modified in the utility's most recent general rate proceeding. In filings to adjust the FAR, the twenty- (20-) and ten- (10-) day time limits in 4 CSR 240-2.090(2) shall be reduced to fifteen (15) and seven (7) days, respectively. Within thirty (30) days after the electric utility files its testimony and tariff sheet(s) to adjust its FARs, the staff shall submit a recommendation regarding its examination and analysis to the commission;

(G) OPC and other parties may file a response to the electric utility's proposed FAR adjustment within forty (40) days after the electric utility files its testimony and tariff sheet(s) to adjust its FARs;

(H) Within sixty (60) days after the electric utility files its testimony and tariff sheet(s) to adjust its FARs, the commission shall either—

1. Issue an interim rate adjustment order approving the tariff

sheet(s) and the adjustments to the FARs;

2. Allow the tariff sheet(s) and the adjustments to the FARs to take effect without commission order; or

3. If it determines the adjustment to the FARs is not in accordance with the provisions of this rule, section 386.266, RSMo, and the FAC mechanism established in the electric utility's most recent general rate proceeding, reject the proposed rate sheets, suspend the timeline of the FAR adjustment filing, set a prehearing date, and order the parties to propose a procedural schedule. The commission may order the electric utility to file tariff sheet(s) to implement interim adjusted FARs to reflect any part of the proposed adjustment that is not in question;

(I) If the staff, OPC, or other party which receives the information that the electric utility is required to submit by this rule and as ordered by the commission in a previous proceeding, believes the information is insufficient to make a recommendation regarding the electric utility's proposed FAR, it shall notify the electric utility within ten (10) business days of the electric utility's filing of tariff sheet(s) to adjust the FARs and identify the information required and not submitted in compliance with that rule or order. The electric utility shall supply the information identified by the party, or shall notify the party that it believes the information provided was in compliance with the requirements of this rule and the commission's most recent order establishing, continuing, or modifying the FAC, within ten (10) business days of the request. If the electric utility does not timely supply the information, the party asserting the failure to provide the required information must timely file a motion to compel with the commission.

1. While the commission is considering the motion to compel, the processing timeline for the adjustment to increase the FARs shall be suspended. If the commission then issues an order requiring the information be provided, the time necessary for the information to be provided shall further extend the processing timeline for the adjustment to increase the FARs. If the commission issues an order compelling discovery, interest will not be accrued by the utility from the time the commission receives a motion to compel until the time that the utility provides the requested information. For good cause shown the commission may further suspend this timeline.

2. Except as provided herein, any delay in providing sufficient information in compliance with this rule and the commission's most recent order establishing, continuing, or modifying the FAC in a request to decrease the FARs shall not alter the processing timeline.

(9) True-Ups of RAMs. The purpose of a true-up case is to accurately and appropriately remedy any over-billing or under-billing during a recovery period, including the interest accrued at the utility's short-term borrowing rate to be returned to or collected from customers through a periodic change to FAR under section (8).

(A) When an electric utility files with the commission to true-up its RAM the filing shall be accompanied by—

1. Pre-filed testimony that includes a discussion detailing the material factors which contributed to the true-up amount;

2. The following information in electronic format, where available, with all links and formulas intact:

A. Any revision to the calculation of the net base energy cost for the accumulation period;

B. Any other proposed adjustments or refunds not related to the calculation of the net base energy cost for the accumulation period;

C. The calculation of the monthly amount that was over-billed or under-billed through its RAM;

D. The electric utility's monthly short-term borrowing rate along with—

(I) An explanation of how that rate was determined;

(II) The calculation of the short-term borrowing rate;

(III) Identification of any changes in the basis(es) used for determining the short-term borrowing rate since the last RAM rate adjustment; and

(IV) If there is a change in the basis(es) used for determining

the short-term borrowing rate, a copy(ies) of the changed basis(es) or identification of where it/they may be reviewed;

E. Any additional information that the commission has ordered the electric utility to include in its RAM true-up filing;

3. Workpapers, in electronic format, where available, with all links and formulas intact, supporting all items in this subsection, shall be submitted in EFIS and provided to staff, OPC, and other parties.

(C) The electric utility must be current on its submission of its periodic reporting requirements as required by section (5) and surveillance monitoring reports at the time that it files its true-up of its RAM in order for the commission to process the electric utility's requested true-up of any over- or under-billing.

(D) The staff shall examine and analyze the information filed and submitted by the electric utility pursuant to this rule and additional information obtained through discovery and as ordered by the commission, to determine whether the true-up amount is in accordance with the provisions of this rule, section 386.266, RSMo, and the RAM established in the electric utility's most recent general rate proceeding. In filings to adjust the FAR, the twenty- (20-) and ten- (10-) day time limits in 4 CSR 240-2.090(2) shall be reduced to fifteen (15) and seven (7) days, respectively. The staff shall submit a recommendation regarding its examination and analysis to the commission not later than thirty (30) days after the electric utility files for a true-up amount.

(F) Within sixty (60) days of the electric utility's true-up filing the commission shall issue an order—

1. Approving the true-up filing and the true-up amount; or
2. If it determines that the true-up amount is incorrect, rejecting the proposed tariff sheet(s) containing the true-up amount, suspending the timeline of the true-up filing, setting a prehearing date, and ordering the parties to propose a procedural schedule. The commission shall allow the electric utility to file tariff sheet(s) to implement interim FARs reflecting any part of the true-up amount that is not in question, and questions about the correctness of the true-up amount will not delay adjustments to FAR rates unrelated to the true-up.

(G) If the staff, OPC or other party which receives the information that the electric utility is required to submit by this rule and as ordered by the commission in a previous proceeding, believes the information is insufficient to make a recommendation regarding the electric utility's true-up filing, it shall notify the electric utility within ten (10) days of the electric utility's filing and identify the information required. The electric utility shall supply the information identified by the party, or shall notify the party that it believes the information provided was responsive to the requirements, within ten (10) days of the request. If the electric utility does not timely supply the information, the party asserting the failure to provide the required information must timely file a motion to compel with the commission.

1. While the commission is considering the motion to compel, the processing timeline for the determination of the true-up amount shall be suspended. If the commission then issues an order requiring the information to be provided, the time necessary for the information to be provided shall further extend the processing timeline. If the commission issues an order compelling discovery, interest will not be accrued by the utility from the time the commission receives a motion to compel until the time that the utility provides the requested information. For good cause shown the commission may further suspend this timeline.

2. If the party requesting the information can demonstrate to the commission that the true-up amount will result in a reduction in the FAR, the processing timeline shall continue with the best information available. When the electric utility provides the necessary information, the FAR shall be adjusted again, if necessary, to reflect the additional information provided by the electric utility.

(10) Duration of RAMs and Requirement for General Rate Case. Once a RAM is approved by the commission, it shall remain in effect for a term of not more than four (4) years unless the commission ear-

lier authorizes the modification, extension, or discontinuance of the RAM in a general rate proceeding, although an electric utility may submit proposed rate sheets to implement periodic adjustments to its FAC rates between general rate proceedings.

(11) Prudence Reviews Respecting RAMs. A prudence review of the costs and revenues subject to the RAM shall be conducted no less frequently than at eighteen- (18-) month intervals.

(13) Rate Design of the RAM. The design of the RAM rates shall reflect differences in losses incurred in the delivery of electricity at different voltage levels for the electric utility's different rate classes as determined by periodically conducting Missouri jurisdictional system loss studies.

(A) When the electric utility initially seeks authority to use a RAM, the end of the twelve- (12-) month period of actual data collected that is used in its Missouri jurisdictional system loss study must be within twenty-four (24) months of the date the utility files its general rate proceeding first requesting a RAM.

(B) When the electric utility seeks to continue or modify its RAM, the end of the twelve- (12-) month period of actual data collected that is used in its Missouri jurisdictional system loss study must be no earlier than four (4) years before the date the utility files the general rate proceeding seeking to continue or modify its RAM.

(14) Incentive Mechanism or Performance-Based Program. During a general rate proceeding in which an electric utility has proposed establishment or modification of a RAM, or in which a RAM may be allowed to continue in effect, any party may propose for the commission's consideration incentive mechanisms or performance-based programs to improve the efficiency and cost effectiveness of the electric utility's fuel and purchased power procurement activities and/or off-system sales activities.

(A) The incentive mechanisms or performance-based programs may or may not include some or all components of base energy costs.

(17) Party status and rights in RAM proceedings.

(A) Each party to the most recent general rate proceeding in which the commission established, continued, or modified the electric utility's RAM shall be a party to each subsequent related RAM rate adjustment proceeding, RAM true-up proceeding, and RAM prudence review proceeding, without applying to the commission for intervention, and shall be provided access to the periodic reports and surveillance monitoring reports required by this rule during the period of time when they are entitled to be a party to such proceedings without applying for intervention. In any subsequent general rate proceeding, such person or entity must seek and be granted status as an intervenor to be a party to that case and to consequently be a party, without seeking and being granted status as an intervenor to RAM-related proceedings initiated after that case.

(22) Waiver of Provisions of this Rule. Provisions of this rule may be waived by the commission for good cause.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission

Chapter 40—Gas Utilities and Gas Safety Standards

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250, 386.310, and 393.140, RSMo 2016, the commission amends a rule as follows:

4 CSR 240-40.020 Incident, Annual, and Safety-Related Condition Reporting Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1581–1583). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed amendment on August 20, 2018. The commission received timely written comments in support of the amendment from the staff of the commission and comments at the hearing in support of the amendment from Jeff Keevil, Deputy Counsel, on behalf of the staff of the commission, and Hampton Williams, Public Counsel, on behalf of the Office of the Public Counsel.

COMMENT #1: Mr. Keevil on behalf of the staff of the commission filed general comments supporting the amendment of this rule. Mr. Keevil stated that this rulemaking was undertaken in response to Executive Order 17-03 and is being proposed in order to consolidate, streamline, and improve the user-friendliness of the commission's regulations.

RESPONSE: The commission appreciates its staff's dedication to improving the regulatory process at the commission and in the state of Missouri. No change was made as a result of this comment.

COMMENT #2: Mr. Williams on behalf of the Office of the Public Counsel commented at the hearing in support of amending this rule. Mr. Williams also provided a letter to the commission suggesting that the commission pursue a legislative exemption from the provisions of section 536.031, RSMo, that would allow the commission to amend the gas safety regulations contemporarily with changes at the federal level.

RESPONSE: The commission thanks the Office of the Public Counsel for its participation and will consider its suggestion. No change was made as a result of this comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 40—Gas Utilities and Gas Safety Standards**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250, 386.310, and 393.140, RSMo 2016, the commission amends a rule as follows:

4 CSR 240-40.030 Safety Standards—Transportation of Gas by Pipeline is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1583–1595). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed amendment on August 20, 2018. The commission received timely written comments in support of the amendment from the staff of the commission and comments at the hearing in support of the amendment from Jeff Keevil, Deputy Counsel, on behalf of the staff of the commission, and Hampton Williams, Public Counsel, on behalf of the Office of the Public Counsel.

COMMENT #1: Mr. Keevil on behalf of the staff of the commission filed general comments supporting the amendment of this rule. Mr. Keevil stated that this rulemaking was undertaken in response to Executive Order 17-03 and is being proposed in order to consolidate, streamline, and improve the user-friendliness of the commission's regulations.

RESPONSE: The commission appreciates its staff's dedication to improving the regulatory process at the commission and in the state of Missouri. No change was made as a result of this comment.

COMMENT #2: Mr. Williams on behalf of the Office of the Public Counsel commented at the hearing in support of amending this rule. Mr. Williams also provided a letter to the commission suggesting that the commission pursue a legislative exemption from the provisions of section 536.031, RSMo, that would allow the commission to amend the gas safety regulations contemporarily with changes at the federal level.

RESPONSE: The commission thanks the Office of the Public Counsel for its participation and will consider its suggestion. No change was made as a result of this comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 40—Gas Utilities and Gas Safety Standards**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250, 386.310, and 393.140, RSMo 2016, the commission amends a rule as follows:

4 CSR 240-40.080 Drug and Alcohol Testing is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1596). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended August 15, 2018, and the commission held a public hearing on the proposed amendment on August 20, 2018. The commission received timely written comments in support of the amendment from the staff of the commission and comments at the hearing in support of the amendment from Jeff Keevil, Deputy Counsel, on behalf of the staff of the commission, and Hampton Williams, Public Counsel, on behalf of the Office of the Public Counsel.

COMMENT #1: Mr. Keevil on behalf of the staff of the commission filed general comments supporting the amendment of this rule. Mr. Keevil stated that this rulemaking was undertaken in response to Executive Order 17-03 and is being proposed in order to consolidate, streamline, and improve the user-friendliness of the commission's regulations.

RESPONSE: The commission appreciates its staff's dedication to improving the regulatory process at the commission and in the state of Missouri. No change was made as a result of this comment.

COMMENT #2: Mr. Williams on behalf of the Office of the Public Counsel commented at the hearing in support of amending this rule. Mr. Williams also provided a letter to the commission suggesting that the commission pursue a legislative exemption from the provisions of section 536.031, RSMo, that would allow the commission to amend the gas safety regulations contemporarily with changes at the federal level.

RESPONSE: The commission thanks the Office of the Public Counsel for its participation and will consider its suggestion. No change was made as a result of this comment.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 1—Organization**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under Omnibus State Reorganization Act of 1974, the division amends a rule as follows:

**8 CSR 30-1.010 Organization of the Division of Labor Standards
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2021). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 2—Mining Rules**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under sections 286.060 and 293.630, RSMo 2016, the division amends a rule as follows:

8 CSR 30-2.010 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2021). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 2—Mining Rules**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under sections 286.060 and 293.630, RSMo 2016, the division amends a rule as follows:

**8 CSR 30-2.020 Standard Practices for Safety and Operation
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2021–2028). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 3—Prevailing Wage Law Rules**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under section 290.240, RSMo Supp. 2018, the division withdraws a proposed amendment as follows:

**8 CSR 30-3.010 Prevailing Wage Rates for Public Works Projects
is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2028–2029). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The division received comments on this proposed amendment. The comments were against the proposed amendment of the rule. The amendment was drafted prior to the Missouri General Assembly's passage of SS HCS HBs 1729, et al (2018). The comments noted that the proposed amendment did not take into consideration statutory changes enacted in HB 1729.

RESPONSE: As a result, the division is withdrawing the proposed amendment.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 3—Prevailing Wage Law Rules**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under section 290.240, RSMo Supp. 2018, the division withdraws a proposed amendment as follows:

8 CSR 30-3.020 Definitions is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2029–2030). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The division received comments on this proposed amendment. The comments were against the proposed amendment of the rule. The amendment was drafted prior to the Missouri General Assembly's passage of SS HCS HBs 1729, et al (2018). The comments noted that the proposed amendment did not take into consideration statutory changes enacted in HB 1729.

RESPONSE: As a result, the division is withdrawing the proposed amendment.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 3—Prevailing Wage Law Rules**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under section 290.240, RSMo Supp. 2018, the division withdraws a proposed amendment as follows:

8 CSR 30-3.030 Apprentices and Trainees is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2030–2031). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The division received comments on this proposed amendment. The comments were against the proposed amendment of the rule. The amendment was drafted prior to the Missouri General Assembly's passage of SS HCS HBs 1729, et al (2018). The comments noted that the proposed amendment did not take into consideration statutory changes enacted in HB 1729.
RESPONSE: As a result, the division is withdrawing the proposed amendment.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 3—Prevailing Wage Law Rules**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under section 290.240, RSMo Supp. 2018, the division withdraws a proposed amendment as follows:

**8 CSR 30-3.040 Classifications of Construction Work
is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2031). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The division received comments on this proposed amendment. The comments were against the proposed amendment of the rule. The amendment was drafted prior to the Missouri General Assembly's passage of SS HCS HBs 1729, et al (2018). The comments noted that the proposed amendment did not take into consideration statutory changes enacted in HB 1729.
RESPONSE: As a result, the division is withdrawing the proposed amendment.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 3—Prevailing Wage Law Rules**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under section 290.240, RSMo Supp. 2018, the division withdraws a proposed rescission as follows:

8 CSR 30-3.050 Posting of Prevailing Wage Rates is withdrawn.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2031). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: The division received comments on this proposed rescission. The comments were against the proposed rescission of the rule. The rescission was proposed prior to the Missouri General Assembly's passage of SS HCS HBs 1729, et al (2018). The comments noted that the proposed rescission did not take into consideration statutory changes enacted in HB 1729.
RESPONSE: As a result, the division is withdrawing the proposed rescission.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 3—Prevailing Wage Law Rules**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under section 290.240, RSMo Supp. 2018, the division withdraws a proposed amendment as follows:

**8 CSR 30-3.060 Occupational Titles of Work Descriptions
is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2031–2034). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The division received comments on this proposed amendment. The comments were against the proposed amendment of the rule. The amendment was drafted prior to the Missouri General Assembly's passage of SS HCS HBs 1729, et al (2018). The comments noted that the proposed amendment did not take into consideration statutory changes enacted in HB 1729.
RESPONSE: As a result, the division is withdrawing the proposed amendment.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 4—Minimum Wage and Overtime Rules**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under sections 290.512, 290.515, 290.517, and 290.523, RSMo 2016, the division amends a rule as follows:

8 CSR 30-4.010 Applicability and Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2034–2035). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 4—Minimum Wage and Overtime Rules**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under sections 290.512, 290.515, and 290.523, RSMo 2016, the division amends a rule as follows:

8 CSR 30-4.020 Minimum Wage Rates is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2035). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 4—Minimum Wage and Overtime Rules**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under sections 290.515 and 290.523, RSMo 2016, the division amends a rule as follows:

**8 CSR 30-4.040 Subminimum Wage Rates for the Physically or
Mentally Impaired is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2035). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 4—Minimum Wage and Overtime Rules**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under sections 290.512, 290.515, and 290.517, RSMo 2016, the division amends a rule as follows:

8 CSR 30-4.050 Valuation of Goods and Services is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2035-2036). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 4—Minimum Wage and Overtime Rules**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under sections 290.517 and 290.523, RSMo 2016, the division amends a rule as follows:

**8 CSR 30-4.060 Administrative Complaints; Notices Issued by the
Director is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2036). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 5—Prevailing Wage Arbitration**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under section 290.240, RSMo Supp. 2018, the division withdraws a proposed amendment as follows:

8 CSR 30-5.010 Filing for Arbitration is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2037). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The division received comments on this proposed amendment. The comments were against the proposed amendment of the rule. The amendment was drafted prior to the Missouri General Assembly's passage of SS HCS HBs 1729, et al (2018). The comments noted that the proposed amendment did not take into consideration statutory changes enacted in HB 1729. RESPONSE: As a result, the division is withdrawing the proposed amendment.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 5—Prevailing Wage Arbitration**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under section 290.240, RSMo Supp. 2018, the division withdraws a proposed amendment as follows:

8 CSR 30-5.020 Hearing Procedures for Arbitration is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2037–2038). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The division received comments on this proposed amendment. The comments were against the proposed amendment of the rule. The amendment was drafted prior to the Missouri General Assembly’s passage of SS HCS HBs 1729, et al (2018). The comments noted that the proposed amendment did not take into consideration statutory changes enacted in HB 1729.

RESPONSE: As a result, the division is withdrawing the proposed amendment.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 5—Prevailing Wage Arbitration**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under section 290.240, RSMo Supp. 2018, the division withdraws a proposed amendment as follows:

8 CSR 30-5.030 Awards by the Arbitrator is **withdrawn**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2038–2039). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The division received comments on this proposed amendment. The comments were against the proposed amendment of the rule. The amendment was drafted prior to the Missouri General Assembly’s passage of SS HCS HBs 1729, et al (2018). The comments noted that the proposed amendment did not take into consideration statutory changes enacted in HB 1729.

RESPONSE: As a result, the division is withdrawing the proposed amendment.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 6—Authorized Minimum Wage Rate Reductions**

ORDER OF RULEMAKING

By the authority vested in the Division of Labor Standards under section 290.515, RSMo 2016, the division amends a rule as follows:

8 CSR 30-6.010 Reduction in Minimum Wage Based on Physical or Mental Disabilities is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2039). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 70—Division of Alcohol and Tobacco Control
Chapter 2—Rules and Regulations**

ORDER OF RULEMAKING

By the authority vested in the Division of Alcohol and Tobacco Control under section 311.660, RSMo 2016, the division amends a rule as follows:

11 CSR 70-2.140 All Licensees is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1915–1917). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 70—Division of Alcohol and Tobacco Control
Chapter 2—Rules and Regulations**

ORDER OF RULEMAKING

By the authority vested in the Division of Alcohol and Tobacco Control under section 311.660, RSMo 2016, the division rescinds a rule as follows:

11 CSR 70-2.200 Salesman is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1917). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 70—Division of Alcohol and Tobacco Control
Chapter 2—Rules and Regulations**

ORDER OF RULEMAKING

By the authority vested in the Division of Alcohol and Tobacco Control under section 311.660, RSMo 2016, the division rescinds a rule as follows:

11 CSR 70-2.220 Prohibiting Manufacturers and Solicitors of Intoxicating Liquor and Licensed Retailers From Contacting Each Other for Business Purposes is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 15, 2018 (43 MoReg 2462). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 70—Division of Alcohol and Tobacco Control
Chapter 3—Tobacco Regulations**

ORDER OF RULEMAKING

By the authority vested in the Division of Alcohol and Tobacco Control under section 311.660, RSMo 2016, the division rescinds a rule as follows:

11 CSR 70-3.020 Guidelines for Sting Operations is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 15, 2018 (43 MoReg 2462). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 34—Homeless, Dependent and Neglected
Children**

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, Family Support Division, under section 207.020, RSMo 2016, the division rescinds a rule as follows:

13 CSR 40-34.012 Rates for Foster Care is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1917). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 3—Conditions of Provider Participation,
Reimbursement and Procedure of General Applicability**

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, MO HealthNet Division, under section 208.201, RSMo 2016, the division rescinds a rule as follows:

13 CSR 70-3.190 Telehealth Services is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1917-1918). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 4—Conditions of Participant Participation,
Rights and Responsibilities**

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, MO HealthNet Division, under section 208.201, RSMo 2016, the division rescinds a rule as follows:

**13 CSR 70-4.070 Title XIX Recipient Lock-In Program
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1918). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 20—Pharmacy Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, MO HealthNet Division, under sections 208.153 and 208.201, RSMo 2016, the division rescinds a rule as follows:

**13 CSR 70-20.032 List of Excludable Drugs Excluded From
Coverage Under the MO HealthNet Pharmacy Program
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1918). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 20—Pharmacy Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, MO HealthNet Division, under sections 208.153 and 208.201, RSMo 2016, the division rescinds a rule as follows:

**13 CSR 70-20.040 Five Prescription Limit Per Month Per
Recipient is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2018 (43 MoReg 1918). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2270—Missouri Veterinary Medical Board
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-1.011 General Organization is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 4, 2018 (43 MoReg 2570). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2270—Missouri Veterinary Medical Board
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-1.031 Application Procedures is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 4, 2018 (43 MoReg 2570–2571). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2270—Missouri Veterinary Medical Board
Chapter 2—Licensure Requirements for Veterinarians**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-2.031 Examinations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 4, 2018 (43 MoReg 2572). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the

Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2270—Missouri Veterinary Medical Board
Chapter 2—Licensure Requirements for Veterinarians**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-2.041 Reexamination is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 4, 2018 (43 MoReg 2572). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2270—Missouri Veterinary Medical Board
Chapter 3—Registration Requirements for Veterinary
Technicians**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-3.020 Examinations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 4, 2018 (43 MoReg 2572–2573). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2270—Missouri Veterinary Medical Board
Chapter 4—Minimum Standards**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

**20 CSR 2270-4.011 Minimum Standards for Veterinary Facilities
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 4, 2018 (43 MoReg 2573). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2270—Missouri Veterinary Medical Board
Chapter 4—Minimum Standards**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-4.021 Minimum Standards for Emergency Clinics/Services **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 4, 2018 (43 MoReg 2573-2574). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2270—Missouri Veterinary Medical Board
Chapter 4—Minimum Standards**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-4.031 Minimum Standards for Practice Techniques **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 4, 2018 (43 MoReg 2574). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2270—Missouri Veterinary Medical Board
Chapter 4—Minimum Standards**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board

under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-4.041 Minimum Standards for Medical Records **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 4, 2018 (43 MoReg 2574-2575). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2270—Missouri Veterinary Medical Board
Chapter 4—Minimum Standards**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-4.042 Minimum Standards for Continuing Education for Veterinarians **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 4, 2018 (43 MoReg 2575). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2270—Missouri Veterinary Medical Board
Chapter 6—Professional Conduct for the Practice of
Veterinary Medicine**

ORDER OF RULEMAKING

By the authority vested in the Missouri Veterinary Medical Board under section 340.210, RSMo 2016, the board amends a rule as follows:

20 CSR 2270-6.011 Rules of Professional Conduct **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 4, 2018 (43 MoReg 2575-2576). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 340—Division of Energy
Chapter 2—Energy Loan Program**

IN ADDITION

Notification: Applications accepted between December 17, 2018 and February 15, 2019 for the *Energize Missouri Loan Program* FY2019 Cycle.

The Missouri Department of Economic Development's (department) Division of Energy is making available approximately five (5) million dollars in American Recovery and Reinvestment Act (ARRA)(Public Law 111-5) loan financing for qualified energy efficiency and renewable energy projects. These ARRA monies require compliance with, but not limited to, the Buy American Act, the Davis-Bacon Act, Historic Preservation, and National Environmental Policy Act. Energy-saving investments may include projects such as insulation, lighting systems, heating and cooling systems, combined heat and power, pumps, motors, aerators, renewable energy systems, and other measures that reduce energy use and cost. Recipients repay loans with money saved on energy costs.

Eligible Energy-Using Sectors: Loan funds will be allocated to eligible energy-using sectors as follows:

- Public Schools (K-12);
- Public Higher Education Institutions;
- Hospitals; and
- Local Governments: Local governments include a county, city, or village (which may include water treatment plants or waste water facilities), local government/public owned airport facilities (municipal, county, regional, and international); or any hospital district as defined in section 206.010, RSMo; or any sewer district as defined in section 249.010, RSMo; or any water supply districts as defined in section 247.010, RSMo; or any ambulance district as defined in section 190.010, RSMo; or any sub-district of a zoological park and museum district as defined in section 184.352, RSMo.

Application Procedures: An application for loan funds may be submitted to the department for the purpose of financing all or a portion of the cost of implementing an energy-saving project.

Each applicant may apply for a loan not to exceed five hundred thousand dollars (\$500,000). Loan applications will not be considered for less than ten thousand dollars (\$10,000) or with a payback score of less than six (6) months.

If funds remain after review and priority ranking of applications, the department will consider awarding loans in excess of five hundred thousand dollars (\$500,000).

Requests for loan financing must be made using the Division of Energy's *Energize Missouri Loan Program* application. Application forms and instructions are available on the department's website: <http://energyloan.mo.gov>.

The Application Authorization Form must be signed and dated by an authorized official. An authorized official is an individual with authority to obligate an eligible applicant to the terms of loan agreement and promissory note to repay loan proceeds.

A paper or electronic copy of the signed original Application Authorization Form and required documents may be submitted to the department's address below.

Applications received after February 15, 2019 will not be considered for a loan award for this *Energize Missouri Loan Program* cycle but may be held for consideration during subsequent application cycles.

The department may request additional information as needed to determine the feasibility of a project, the project's estimated annual energy savings, and financial risks of a loan transaction. Also, an energy conservation measure has the potential of affecting other areas within the facility or system. Applicants must have no outstanding actions for violations of applicable federal, state, or local laws, ordinances, and rules.

Interest Rates: Loan principal plus two percent (2.00%) interest is to be repaid to the department in semi-annual payments not to exceed a ten (10) year repayment period. An administrative fee of one percent (1%) of loan principal will be added to the repayment amount.

Selection Criteria: Recipients of loan financing will be determined on a competitive basis. Applications will be ranked based on the project's payback score, which is determined by dividing the cost to implement a project by the estimated yearly energy cost savings. Projects with the lowest payback score will be funded until all available funds are allocated. Loan applications will be approved or disapproved by May 16, 2019.

For More Information Contact:

Missouri Department of Economic Development
Division of Energy
Attn: Loan Program Clerk
PO Box 1766
301 W. High, Ste. 720
Jefferson City, MO 65102

Phone: 1.855.522.2796
Email: energy@ded.mo.gov
Website: <http://energyloan.mo.gov/>

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

IN ADDITION

Pursuant to section 226.096, RSMo, regarding the Construction Claims Binding Arbitration Cap for the Missouri Department of Transportation, the Director of Insurance, Financial Institutions and Professional Registration is required to calculate the new limit.

Using Implicit Price Deflator (IPD) for Personal Consumption Expenditures (PCE), as required by section 226.096, RSMo, the Construction Claims Binding Arbitration Cap for the Missouri Department of Transportation effective January 1, 2019, was established by the following calculation:

Index Based on 2012 Dollars
Third Quarter 2017 IPD Index 106.152
Third Quarter 2018 IPD Index 108.472

New 2019 Limit = 2018 Limit \times (2018 Index/2017 Index)

438,606 = 429,225 \times (108.472/106.152)

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

IN ADDITION

Pursuant to section 537.610, RSMo, regarding the Sovereign Immunity Limits for Missouri Public Entities, the Director of Insurance, Financial Institutions and Professional Registration is required to calculate the new limit on awards for liability.

Using Implicit Price Deflator (IPD) for Personal Consumption Expenditures (PCE), as required by section 537.610, RSMo, the two (2) new Sovereign Immunity Limits effective January 1, 2019, were established by the following calculations:

Index Based on 2012 Dollars
Third Quarter 2017 IPD Index 106.152
Third Quarter 2018 IPD Index 108.472

New 2019 Limit = 2018 Limit \times (2018 Index/2017 Index)

For all claims arising out of a single accident or occurrence:

2,865,330 = 2,804,046 \times (108.472/106.152)

For any one (1) person in a single accident or occurrence:

429,799 = 420,606 \times (108.472/106.152)

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

IN ADDITION

Pursuant to section 105.711, RSMo, regarding the State Legal Expense Fund, the Director of Insurance, Financial Institutions and Professional Registration is required to calculate the new limit.

Using Implicit Price Deflator (IPD) for Personal Consumption Expenditures (PCE), as required by section 105.711, RSMo, the State Legal Expense Fund Limit effective January 1, 2019, was established by the following calculation:

Index Based on 2012 Dollars
Third Quarter 2017 IPD Index 106.152
Third Quarter 2018 IPD Index 108.472

New 2019 Limit = 2018 Limit \times (2018 Index/2017 Index)

448,670 = 439,074 \times (108.472/106.152)

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2016, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

"NOTICE OF WINDING UP FOR LIMITED PARTNERSHIP

TO ALL CREDITORS AND CLAIMANTS AGAINST MCCURRY FAMILY LIMITED PARTNERSHIP, a Missouri limited partnership (the "Partnership"):

You are hereby notified that dissolution of the Partnership was authorized by the partners on November 1, 2018. All persons having claims against the Partnership must present their claims in writing and mail their claims to:

Shiloh Lee Weaver
1270 E. Edgewood
Springfield, MO 65804

A claim against the Partnership will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice. In order to file a claim with the Partnership, you must furnish the following: (a) the name, address and telephone number of the claimant; (b) the amount claimed; (c) a description of the nature of the debt or the basis of the claim; (d) the date or dates the claim accrued; and (e) if the claim is founded on a writing, a copy of the writing."

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST PREMIER PAPER AND PACKAGING, INC.

On October 8, 2018, Premier Paper and Packaging, Inc., a Missouri corporation (the "Corporation"), filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution was effective upon this date.

You are hereby notified that if you believe you have a claim against the Corporation, you must submit a written summary of your claim to the Corporation care of The Law Firm of Haden & Haden, ATTN: Brent Haden, PO Box 7166, Columbia, MO 65205. The summary of your claim must include the following information:

1. The name, address, and telephone number of claimant;
2. The amount of the claim;
3. The date on which the claim is based occurred;
4. A brief description of the nature of the debt or the basis of the claim; and
5. Whether the claim is secured, and if so, the collateral used as security.

All claims against the Corporation will be barred unless this summary is received within 2 years of this notice.

NOTICE OF DISSOLUTION OF CORPORATION**NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST
LYRIC OPERA QALICB, INC.**

On November 13, 2018, Lyric Opera QALICB, Inc., a Missouri nonprofit corporation, filed its Articles of Dissolution with the Missouri Secretary of State.

Said corporation requests that all persons and organizations who have claims against it present them immediately by letter to the corporation at Lyric Opera QALICB, Inc., 1725 Holmes Street., Kansas City, Missouri 64108.

All claims must include: the name and address of the claimant; the amount claimed; the basis for the claim; the date(s) on which the event(s) on which the claim is based occurred.

NOTICE: Because of the dissolution Lyric Opera QALICB, Inc., any claims against it will be barred unless a proceeding to enforce the claim is commenced within two years after the publication date of the two notices authorized by statute, whichever is published last.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS
AGAINST SUMMER CASUAL, LLC**

You are hereby notified that on November 6, 2018, Summer Casual, LLC, a Missouri limited liability company, ("LLC") was dissolved upon the filing of its Articles of Termination with the Missouri Secretary of State.

Said LLC requests that all persons and organizations who have claims against it present them immediately by letter to the LLC c/o Checkett & Pauly, PC, PO Box 409, Carthage, MO 64836, Attention: Sarah Kersh. All claims must include (i) the name and address of the claimant; (ii) the amount claimed; (iii) the basis for the claim; (iv) the documentation of the claim; and (v) the date(s) of the event(s) on which the claim is based occurred.

Notice: Because of the termination of Summer Casual, LLC, any claims against it will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS AND CLAIMANTS AGAINST
ABC OF SOUTHEAST MISSOURI, L.L.C.

On November 9, 2018, ABC of Southeast Missouri, L.L.C., a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: **Terry Cole, 1515 East Malone, Sikeston, Missouri 63801**. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; the basis for the claim; and documentation in support of the claim.

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three years after the publication of this notice.

NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY
TO ALL CREDITORS AND CLAIMANTS AGAINST
LBR - FAIR, LLC

On November 7, 2018, LBR - Fair, LLC filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The Notice was effective on November 7, 2018.

YOU ARE HEREBY NOTIFIED that if you believe you have a claim against LBR - Fair, LLC, you must submit a summary in writing of the circumstances surrounding your claim to the said LBR - Fair, LLC at the following address:

LBR - Fair, LLC, 2107 Ridgecrest Street, Chillicothe, Missouri 64601.
Telephone: (660) 973-4490.

The summary of your claim must include the following information:

1. The name, address, and telephone number of the claimant;
2. The amount of the claim;
3. The date on which the event for which the claim is based occurred; and
4. A brief description of the nature of the debt or the basis for the claim.

All claims against LBR - Fair, LLC will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice.

**NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY
TO ALL CREDITORS AND CLAIMANTS AGAINST
LBR - FAIRVIEW, LLC**

On November 7, 2018, LBR - Fairview, LLC filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The Notice was effective on November 7, 2018.

YOU ARE HEREBY NOTIFIED that if you believe you have a claim against LBR - Fairview, LLC, you must submit a summary in writing of the circumstances surrounding your claim to the said LBR - Fairview, LLC at the following address:

LBR - Fairview, LLC, 2107 Ridgecrest Street, Chillicothe, Missouri 64601.

Telephone: (660) 973-4490.

The summary of your claim must include the following information:

1. The name, address, and telephone number of the claimant;
2. The amount of the claim;
3. The date on which the event for which the claim is based occurred; and
4. A brief description of the nature of the debt or the basis for the claim.

All claims against LBR - Fairview, LLC will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice.

**NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY
TO ALL CREDITORS AND CLAIMANTS AGAINST
LBR - LAMBERT, LLC**

On November 7, 2018, LBR - Lambert, LLC filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The Notice was effective on November 7, 2018.

YOU ARE HEREBY NOTIFIED that if you believe you have a claim against LBR - Lambert, LLC, you must submit a summary in writing of the circumstances surrounding your claim to the said LBR - Lambert, LLC at the following address:

LBR - Lambert, LLC, 2107 Ridgecrest Street, Chillicothe, Missouri 64601.

Telephone: (660) 973-4490.

The summary of your claim must include the following information:

1. The name, address, and telephone number of the claimant;
2. The amount of the claim;
3. The date on which the event for which the claim is based occurred; and
4. A brief description of the nature of the debt or the basis for the claim.

All claims against LBR - Lambert, LLC will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice.

**NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY TO ALL
CREDITORS OF AND CLAIMANTS AGAINST DEEKEN PROPERTIES III, L.L.C.**

Deeken Properties III, L.L.C., a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State on November 6, 2018. Any and all claims against Deeken Properties III, L.L.C. may be sent to Affinity Law Group, LLC, 1610 Des Peres Road, Suite 100, St. Louis, MO 63131. Each claim must include: (i) the name, address, and telephone number of the claimant; (ii) amount of the claim; (iii) basis for the claim; (iv) documentation of the claim. A claim against Deeken Properties III, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

Notice of Dissolution of Limited Liability Company to All Creditors of and Claimants Against: KCL Georgia Credit Partners IIA, LLC.

On November 5, 2018, this Missouri limited liability company filed Notice of Winding Up with the Missouri Secretary of State.

This company request that all claims against it be presented immediately by letter to: Malika Simmons, c/o Kansas City Life Insurance Company, 3520 Broadway, Kansas City, Missouri 64111. Claims must include name, address, telephone number, amount, the basis for the claim, and documentation.

All claims against the Company shall be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

Notice of Dissolution of Limited Liability Company to All Creditors of and Claimants Against: MCP 2010, LLC.

On November 5, 2018, this Missouri limited liability company filed Notice of Winding Up with the Missouri Secretary of State.

This company request that all claims against it be presented immediately by letter to: Malika Simmons, c/o Kansas City Life Insurance Company, 3520 Broadway, Kansas City, Missouri 64111. Claims must include name, address, telephone number, amount, the basis for the claim, and documentation.

All claims against the Company shall be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

Notice of Dissolution of Limited Liability Company to All Creditors of and Claimants Against: Missouri Credit Partners 2002, LLC.

On November 5, 2018, this Missouri limited liability company filed Notice of Winding Up with the Missouri Secretary of State.

This company request that all claims against it be presented immediately by letter to: Malika Simmons, c/o Kansas City Life Insurance Company, 3520 Broadway, Kansas City, Missouri 64111. Claims must include name, address, telephone number, amount, the basis for the claim, and documentation.

All claims against the Company shall be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

RE: Trio Printing Company

PLEASE TAKE NOTICE THAT Trio Printing Company, a Missouri corporation, has been dissolved effective October 15, 2018. All claims of every kind and character that you may have against this corporation should be presented to the corporation at the address provided below before (2) years from the date of this publication. Please provide the amount you believe owed by Trio Printing Company and an explanation of the basis for which the debt was incurred.

If your claim is not timely received, it will be forever barred in accordance with Section 351.482 of the General and Business Corporation Law of Missouri.

Joseph R. Harvath
Byron Carlson Petri & Kalb, LLC
411 St. Louis Street
Edwardsville, IL 62025

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—42 (2017) and 43 (2018). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				42 MoReg 1849 43 MoReg 3648
1 CSR 10-3.010	Commissioner of Administration		43 MoReg 3205		
1 CSR 10-4.010	Commissioner of Administration		43 MoReg 3208R		
1 CSR 10-5.010	Commissioner of Administration		43 MoReg 3208		
1 CSR 10-7.010	Commissioner of Administration		43 MoReg 3209		
1 CSR 10-8.010	Commissioner of Administration		43 MoReg 3210		
1 CSR 10-9.010	Commissioner of Administration		43 MoReg 3210R		
1 CSR 10-11.010	Commissioner of Administration		43 MoReg 3211		
1 CSR 10-11.020	Commissioner of Administration		43 MoReg 3214R		
1 CSR 10-11.030	Commissioner of Administration		43 MoReg 3214R		
1 CSR 10-13.010	Commissioner of Administration		43 MoReg 3214R		
1 CSR 10-16.010	Commissioner of Administration		43 MoReg 3215		
1 CSR 10-18.010	Commissioner of Administration		43 MoReg 2975R		
1 CSR 20-1.010	Personnel Advisory Board and Division of Personnel	43 MoReg 2735	43 MoReg 2782		
1 CSR 20-1.020	Personnel Advisory Board and Division of Personnel	43 MoReg 2736	43 MoReg 2783		
1 CSR 20-1.030	Personnel Advisory Board and Division of Personnel		43 MoReg 2787R		
1 CSR 20-1.040	Personnel Advisory Board and Division of Personnel	43 MoReg 2740	43 MoReg 2787		
1 CSR 20-1.045	Personnel Advisory Board and Division of Personnel	43 MoReg 2741	43 MoReg 2788		
1 CSR 20-1.050	Personnel Advisory Board and Division of Personnel		43 MoReg 2790R		
1 CSR 20-2.010	Personnel Advisory Board and Division of Personnel	43 MoReg 2742	43 MoReg 2790		
1 CSR 20-2.015	Personnel Advisory Board and Division of Personnel	43 MoReg 2744	43 MoReg 2791		
1 CSR 20-2.020	Personnel Advisory Board and Division of Personnel	43 MoReg 2747	43 MoReg 2795		
1 CSR 20-3.010	Personnel Advisory Board and Division of Personnel	43 MoReg 2749	43 MoReg 2797		
1 CSR 20-3.020	Personnel Advisory Board and Division of Personnel	43 MoReg 2753	43 MoReg 2800		
1 CSR 20-3.030	Personnel Advisory Board and Division of Personnel	43 MoReg 2754	43 MoReg 2802		
1 CSR 20-3.040	Personnel Advisory Board and Division of Personnel	43 MoReg 2757	43 MoReg 2805		
1 CSR 20-3.050	Personnel Advisory Board and Division of Personnel	43 MoReg 2758R	43 MoReg 2806R		
1 CSR 20-3.070	Personnel Advisory Board and Division of Personnel	43 MoReg 2759	43 MoReg 2806		
1 CSR 20-3.080	Personnel Advisory Board and Division of Personnel	43 MoReg 2763	43 MoReg 2810		
1 CSR 20-4.010	Personnel Advisory Board and Division of Personnel	43 MoReg 2764R	43 MoReg 2811R		
1 CSR 20-4.020	Personnel Advisory Board and Division of Personnel	43 MoReg 2764	43 MoReg 2811		
1 CSR 30-2.020	Division of Facilities Management, Design and Construction		43 MoReg 2813R		
1 CSR 30-2.030	Division of Facilities Management, Design and Construction		43 MoReg 2813R		
1 CSR 30-2.040	Division of Facilities Management, Design and Construction		43 MoReg 2813R		
1 CSR 30-2.050	Division of Facilities Management, Design and Construction		43 MoReg 2814R		
1 CSR 30-3.010	Division of Facilities Management, Design and Construction		43 MoReg 2814R		
1 CSR 30-3.020	Division of Facilities Management, Design and Construction		43 MoReg 2814R		
1 CSR 30-3.030	Division of Facilities Management, Design and Construction		43 MoReg 3215		
1 CSR 30-3.035	Division of Facilities Management, Design and Construction		43 MoReg 2814R		
1 CSR 30-3.040	Division of Facilities Management, Design and Construction		43 MoReg 3218		
1 CSR 30-3.050	Division of Facilities Management, Design and Construction		43 MoReg 3221		
1 CSR 30-4.010	Division of Facilities Management, Design and Construction		43 MoReg 2815R		
1 CSR 35-1.050	Division of Facilities Management		43 MoReg 3222		
1 CSR 40-1.010	Purchasing and Materials Management		43 MoReg 3226R		
1 CSR 40-1.030	Purchasing and Materials Management		43 MoReg 3227R		
1 CSR 40-1.040	Purchasing and Materials Management		43 MoReg 3227R		
1 CSR 40-1.050	Purchasing and Materials Management	43 MoReg 2967	43 MoReg 3227		
1 CSR 40-1.090	Purchasing and Materials Management		43 MoReg 3237R		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
DEPARTMENT OF AGRICULTURE					
2 CSR 10-1.010	Ag Business Development		43 MoReg 1258	43 MoReg 3114	
2 CSR 20-1.010	Administrative Services		43 MoReg 1417R	43 MoReg 3114R	
2 CSR 20-3.010	Administrative Services (<i>Changed to 2 CSR 110-4.010</i>)		43 MoReg 1417	43 MoReg 3116	
2 CSR 20-3.020	Administrative Services (<i>Changed to 2 CSR 110-4.020</i>)		43 MoReg 1418	43 MoReg 3117	
2 CSR 20-3.030	Administrative Services (<i>Changed to 2 CSR 110-4.030</i>)		43 MoReg 1418	43 MoReg 3117	
2 CSR 20-3.040	Administrative Services (<i>Changed to 2 CSR 110-4.040</i>)		43 MoReg 1418	43 MoReg 3117	
2 CSR 20-3.050	Administrative Services		43 MoReg 1419R	43 MoReg 3114R	
2 CSR 50-1.010	Fairs		43 MoReg 1258R	43 MoReg 3114R	
2 CSR 50-2.010	Fairs		43 MoReg 1259R	43 MoReg 3115R	
2 CSR 50-3.020	Fairs		43 MoReg 1259R	43 MoReg 3115R	
2 CSR 50-4.010	Fairs		43 MoReg 1259R	43 MoReg 3115R	
2 CSR 50-5.010	Fairs		43 MoReg 1259R	43 MoReg 3115R	
2 CSR 50-6.010	Fairs		43 MoReg 1260R	43 MoReg 3115R	
2 CSR 50-6.020	Fairs		43 MoReg 1260R	43 MoReg 3115R	
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5 CSR 20-100.310	Division of Learning Services (<i>Changed from 5 CSR 20-600.130</i>)		43 MoReg 3651		
5 CSR 20-100.320	Division of Learning Services (<i>Changed from 5 CSR 20-600.140</i>)		43 MoReg 3651		
5 CSR 20-300.140	Division of Learning Services		43 MoReg 252R 43 MoReg 2013R	43 MoReg 3604R	
5 CSR 20-400.510	Division of Learning Services		43 MoReg 2014	43 MoReg 3604	
5 CSR 20-400.520	Division of Learning Services		43 MoReg 2015	43 MoReg 3605	
5 CSR 20-400.560	Division of Learning Services		43 MoReg 2016	43 MoReg 3605	
5 CSR 20-400.640	Division of Learning Services		42 MoReg 1581 43 MoReg 2017	43 MoReg 3607	
5 CSR 20-500.110	Division of Learning Services		This IssueR		
5 CSR 20-600.120	Division of Learning Services (<i>Changed to 5 CSR 20-100.300</i>)		43 MoReg 3651		
5 CSR 20-600.130	Division of Learning Services (<i>Changed to 5 CSR 20-100.310</i>)		43 MoReg 3651		
5 CSR 20-600.140	Division of Learning Services (<i>Changed to 5 CSR 20-100.320</i>)		43 MoReg 3651		
5 CSR 30-345.030	Division of Financial and Administrative Services		43 MoReg 3071		
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6 CSR 10-2.070	Commissioner of Higher Education		43 MoReg 2020R	43 MoReg 3293R	
6 CSR 10-4.010	Commissioner of Higher Education		43 MoReg 123 43 MoReg 3474		

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6 CSR 10-8.010	Commissioner of Higher Education		43 MoReg 2020R	43 MoReg 3294R	
6 CSR 10-8.020	Commissioner of Higher Education		43 MoReg 2020R	43 MoReg 3294R	
MISSOURI DEPARTMENT OF TRANSPORTATION					
7 CSR	Department of Transportation				41 MoReg 845
7 CSR 10-11.010	Missouri Highways and Transportation Commission		43 MoReg 1261	43 MoReg 3294	
7 CSR 10-11.020	Missouri Highways and Transportation Commission		43 MoReg 1262	43 MoReg 3294	
7 CSR 10-11.030	Missouri Highways and Transportation Commission		43 MoReg 1265	43 MoReg 3294	
7 CSR 10-19.010	Missouri Highways and Transportation Commission		42 MoReg 93R		
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR	Department of Labor and Industrial Relations				41 MoReg 845
8 CSR 30-1.010	Division of Labor Standards		43 MoReg 2021	This Issue	
8 CSR 30-2.010	Division of Labor Standards		43 MoReg 2021	This Issue	
8 CSR 30-2.020	Division of Labor Standards		43 MoReg 2021	This Issue	
8 CSR 30-3.010	Division of Labor Standards		43 MoReg 2028	This IssueW	
8 CSR 30-3.020	Division of Labor Standards		43 MoReg 2029	This IssueW	
8 CSR 30-3.030	Division of Labor Standards		43 MoReg 2030	This IssueW	
8 CSR 30-3.040	Division of Labor Standards		43 MoReg 2031	This IssueW	
8 CSR 30-3.050	Division of Labor Standards		43 MoReg 2031R	This IssueW	
8 CSR 30-3.060	Division of Labor Standards		43 MoReg 2031	This IssueW	
8 CSR 30-4.010	Division of Labor Standards		43 MoReg 2034	This Issue	
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8 CSR 30-4.050	Division of Labor Standards		43 MoReg 2035	This Issue	
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8 CSR 30-5.010	Division of Labor Standards		43 MoReg 2037	This IssueW	
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8 CSR 30-5.030	Division of Labor Standards		43 MoReg 2038	This IssueW	
8 CSR 30-6.010	Division of Labor Standards		43 MoReg 2039	This Issue	
DEPARTMENT OF MENTAL HEALTH					
9 CSR	Department of Mental Health				41 MoReg 845
9 CSR 10-5.240	Director, Department of Mental Health (<i>Changed to 9 CSR 10-7.035</i>)		43 MoReg 2975		
9 CSR 10-7.010	Director, Department of Mental Health		This Issue		
9 CSR 10-7.020	Director, Department of Mental Health		This Issue		
9 CSR 10-7.030	Director, Department of Mental Health		This Issue		
9 CSR 10-7.035	Director, Department of Mental Health (<i>Changed from 9 CSR 10-5.240</i>)		43 MoReg 2975		
9 CSR 10-7.040	Director, Department of Mental Health		This Issue		
9 CSR 10-7.050	Director, Department of Mental Health		This Issue		
9 CSR 10-7.080	Director, Department of Mental Health		This Issue		
9 CSR 10-7.090	Director, Department of Mental Health		This Issue		
9 CSR 10-7.100	Director, Department of Mental Health		This Issue		
9 CSR 10-7.110	Director, Department of Mental Health		This Issue		
9 CSR 10-7.120	Director, Department of Mental Health		This Issue		
9 CSR 10-7.130	Director, Department of Mental Health		This Issue		
DEPARTMENT OF NATURAL RESOURCES					
10 CSR	Department of Natural Resources				41 MoReg 845
10 CSR 1-3.010	Director's Office		43 MoReg 2039		
10 CSR 10-2.205	Air Conservation Commission		43 MoReg 2039		
10 CSR 10-2.215	Air Conservation Commission		43 MoReg 1015R	43 MoReg 3607R	
10 CSR 10-2.230	Air Conservation Commission		43 MoReg 2042		
10 CSR 10-2.260	Air Conservation Commission		43 MoReg 1266		
10 CSR 10-2.300	Air Conservation Commission		43 MoReg 1270		
10 CSR 10-2.320	Air Conservation Commission		43 MoReg 1016	43 MoReg 3609	
10 CSR 10-2.340	Air Conservation Commission		43 MoReg 1017	43 MoReg 3610	
10 CSR 10-2.390	Air Conservation Commission		43 MoReg 1018R	43 MoReg 3612R	
10 CSR 10-5.220	Air Conservation Commission		43 MoReg 2046		
10 CSR 10-5.295	Air Conservation Commission		43 MoReg 2052		
10 CSR 10-5.330	Air Conservation Commission		43 MoReg 2055		
10 CSR 10-5.360	Air Conservation Commission		43 MoReg 1019R	43 MoReg 3613R	
10 CSR 10-5.370	Air Conservation Commission		43 MoReg 1019R	43 MoReg 3614R	
10 CSR 10-5.410	Air Conservation Commission		43 MoReg 1020R	43 MoReg 3616R	
10 CSR 10-5.440	Air Conservation Commission		43 MoReg 1020R	43 MoReg 3617R	
10 CSR 10-5.455	Air Conservation Commission		43 MoReg 1020R	43 MoReg 3619R	
10 CSR 10-5.500	Air Conservation Commission		43 MoReg 1272		
10 CSR 10-5.520	Air Conservation Commission		43 MoReg 1021R	43 MoReg 3620R	
10 CSR 10-5.530	Air Conservation Commission		43 MoReg 1277		
10 CSR 10-5.540	Air Conservation Commission		43 MoReg 1282		
10 CSR 10-5.570	Air Conservation Commission		43 MoReg 1021	43 MoReg 3621	
10 CSR 10-6.030	Air Conservation Commission		43 MoReg 1024	43 MoReg 3624	
10 CSR 10-6.040	Air Conservation Commission		43 MoReg 1026	43 MoReg 3626	
10 CSR 10-6.045	Air Conservation Commission		43 MoReg 2073		
10 CSR 10-6.060	Air Conservation Commission		43 MoReg 2076		
10 CSR 10-6.062	Air Conservation Commission		43 MoReg 2101		
10 CSR 10-6.065	Air Conservation Commission		43 MoReg 2104		
10 CSR 10-6.070	Air Conservation Commission		43 MoReg 1287		
10 CSR 10-6.075	Air Conservation Commission		43 MoReg 1293		
10 CSR 10-6.080	Air Conservation Commission		43 MoReg 1301		
10 CSR 10-6.110	Air Conservation Commission		43 MoReg 1029	43 MoReg 3626	
10 CSR 10-6.120	Air Conservation Commission		43 MoReg 1303		
10 CSR 10-6.130	Air Conservation Commission		43 MoReg 1304		
10 CSR 10-6.161	Air Conservation Commission		43 MoReg 1312		
10 CSR 10-6.170	Air Conservation Commission		43 MoReg 2126		
10 CSR 10-6.200	Air Conservation Commission		43 MoReg 1032	43 MoReg 3629	
10 CSR 10-6.220	Air Conservation Commission		43 MoReg 2127		
10 CSR 10-6.241	Air Conservation Commission		43 MoReg 1313		
10 CSR 10-6.250	Air Conservation Commission		43 MoReg 1316		

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10 CSR 10-6.261	Air Conservation Commission		43 MoReg 2129		
10 CSR 10-6.280	Air Conservation Commission		43 MoReg 1319		
10 CSR 10-6.300	Air Conservation Commission		43 MoReg 1320		
10 CSR 10-6.330	Air Conservation Commission		43 MoReg 2134		
10 CSR 10-6.362	Air Conservation Commission		43 MoReg 1046R	43 MoReg 3630R	
10 CSR 10-6.364	Air Conservation Commission		43 MoReg 1047R	43 MoReg 3631R	
10 CSR 10-6.366	Air Conservation Commission		43 MoReg 1047R	43 MoReg 3632R	
10 CSR 10-6.372	Air Conservation Commission		43 MoReg 2137		
10 CSR 10-6.374	Air Conservation Commission		43 MoReg 2144		
10 CSR 10-6.376	Air Conservation Commission		43 MoReg 2151		
10 CSR 10-6.380	Air Conservation Commission		43 MoReg 1326		
10 CSR 10-6.390	Air Conservation Commission		43 MoReg 2158		
10 CSR 20-2.010	Clean Water Commission		43 MoReg 1148	43 MoReg 3633	
10 CSR 20-4.010	Clean Water Commission		43 MoReg 1596R		
10 CSR 20-4.030	Clean Water Commission		43 MoReg 1596		
10 CSR 20-4.040	Clean Water Commission		43 MoReg 1598		
10 CSR 20-4.041	Clean Water Commission		43 MoReg 1609		
10 CSR 20-4.042	Clean Water Commission		43 MoReg 1611R		
10 CSR 20-4.050	Clean Water Commission		43 MoReg 1611		
10 CSR 20-4.061	Clean Water Commission		43 MoReg 1615		
10 CSR 20-6.010	Clean Water Commission		43 MoReg 1618		
10 CSR 20-6.011	Clean Water Commission		43 MoReg 1629		
10 CSR 20-6.015	Clean Water Commission		43 MoReg 1632		
10 CSR 20-6.020	Clean Water Commission		43 MoReg 1633		
10 CSR 20-6.070	Clean Water Commission		43 MoReg 1635		
10 CSR 20-6.090	Clean Water Commission		43 MoReg 1637		
10 CSR 20-6.200	Clean Water Commission		43 MoReg 1642		
10 CSR 20-6.300	Clean Water Commission		43 MoReg 1652		
10 CSR 20-7.015	Clean Water Commission		43 MoReg 1655		
10 CSR 20-8.020	Clean Water Commission		43 MoReg 1669R		
10 CSR 20-8.110	Clean Water Commission		43 MoReg 1669		
10 CSR 20-8.120	Clean Water Commission		43 MoReg 1680		
10 CSR 20-8.125	Clean Water Commission		43 MoReg 1685		
10 CSR 20-8.130	Clean Water Commission		43 MoReg 1687		
10 CSR 20-8.140	Clean Water Commission		43 MoReg 1692		
10 CSR 20-8.150	Clean Water Commission		43 MoReg 1699		
10 CSR 20-8.160	Clean Water Commission		43 MoReg 1702		
10 CSR 20-8.170	Clean Water Commission		43 MoReg 1705		
10 CSR 20-8.180	Clean Water Commission		43 MoReg 1710		
10 CSR 20-8.190	Clean Water Commission		43 MoReg 1716		
10 CSR 20-8.200	Clean Water Commission		43 MoReg 1719		
10 CSR 20-8.210	Clean Water Commission		43 MoReg 1726		
10 CSR 20-8.220	Clean Water Commission		43 MoReg 1730R		
10 CSR 20-8.300	Clean Water Commission		43 MoReg 1731		
10 CSR 20-8.500	Clean Water Commission		43 MoReg 1738		
10 CSR 20-9.010	Clean Water Commission		43 MoReg 1742		
10 CSR 20-9.020	Clean Water Commission		43 MoReg 1743		
10 CSR 20-9.030	Clean Water Commission		43 MoReg 1746		
10 CSR 20-14.010	Clean Water Commission		43 MoReg 1749		
10 CSR 20-14.020	Clean Water Commission		43 MoReg 1749		
10 CSR 22-1.020	Dam and Reservoir Safety Council		43 MoReg 2161		
10 CSR 22-2.010	Dam and Reservoir Safety Council		43 MoReg 2162		
10 CSR 22-2.020	Dam and Reservoir Safety Council		43 MoReg 2162		
10 CSR 22-2.100	Dam and Reservoir Safety Council		43 MoReg 2163		
10 CSR 22-3.020	Dam and Reservoir Safety Council		43 MoReg 2163		
10 CSR 22-3.030	Dam and Reservoir Safety Council		43 MoReg 2165		
10 CSR 22-3.040	Dam and Reservoir Safety Council		43 MoReg 2166		
10 CSR 22-3.050	Dam and Reservoir Safety Council		43 MoReg 2169		
10 CSR 22-4.020	Dam and Reservoir Safety Council		43 MoReg 2170		
10 CSR 23-1.010	Well Installation		43 MoReg 2170		
10 CSR 23-1.030	Well Installation*		43 MoReg 2176R		
10 CSR 23-1.040	Well Installation		43 MoReg 2176		
10 CSR 23-1.050	Well Installation		43 MoReg 2177		
10 CSR 23-1.060	Well Installation*		43 MoReg 2181R		
10 CSR 23-1.075	Well Installation		43 MoReg 2181		
10 CSR 23-1.080	Well Installation*		43 MoReg 2183R		
10 CSR 23-1.090	Well Installation		43 MoReg 2183		
10 CSR 23-1.105	Well Installation		43 MoReg 2184		
10 CSR 23-1.130	Well Installation*		43 MoReg 2185R		
10 CSR 23-1.140	Well Installation		43 MoReg 2185		
10 CSR 23-1.155	Well Installation*		43 MoReg 2185R		
10 CSR 23-1.160	Well Installation		43 MoReg 2186		
10 CSR 23-2.010	Well Installation		43 MoReg 2186		
10 CSR 23-2.020	Well Installation		43 MoReg 2188		
10 CSR 23-3.010	Well Installation		43 MoReg 2188		
10 CSR 23-3.020	Well Installation		43 MoReg 2191		
10 CSR 23-3.030	Well Installation		43 MoReg 2192		
10 CSR 23-3.040	Well Installation*		43 MoReg 2203R		
10 CSR 23-3.050	Well Installation		43 MoReg 2203		
10 CSR 23-3.060	Well Installation*		43 MoReg 2213R		
10 CSR 23-3.070	Well Installation*		43 MoReg 2213R		
10 CSR 23-3.080	Well Installation		43 MoReg 2213		
10 CSR 23-3.090	Well Installation		43 MoReg 2218		
10 CSR 23-3.100	Well Installation*		43 MoReg 2246R		
10 CSR 23-3.110	Well Installation		43 MoReg 2246		
10 CSR 23-4.010	Well Installation*		43 MoReg 2250R		
10 CSR 23-4.020	Well Installation*		43 MoReg 2250R		
10 CSR 23-4.030	Well Installation*		43 MoReg 2250R		
10 CSR 23-4.050	Well Installation		43 MoReg 2250		
10 CSR 23-4.060	Well Installation		43 MoReg 2251		
10 CSR 23-4.080	Well Installation		43 MoReg 2255		

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10 CSR 23-5.010	Well Installation*		43 MoReg 2256R		
10 CSR 23-5.020	Well Installation*		43 MoReg 2256R		
10 CSR 23-5.030	Well Installation		43 MoReg 2256		
10 CSR 23-5.040	Well Installation		43 MoReg 2256		
10 CSR 23-5.050	Well Installation		43 MoReg 2257		
10 CSR 23-5.060	Well Installation		43 MoReg 2259		
10 CSR 23-5.070	Well Installation		43 MoReg 1153R	43 MoReg 3127R	
10 CSR 23-5.080	Well Installation*		43 MoReg 2259		
10 CSR 23-6.010	Well Installation*		43 MoReg 2260R		
10 CSR 23-6.020	Well Installation		43 MoReg 2260		
10 CSR 23-6.030	Well Installation		43 MoReg 2261		
10 CSR 23-6.040	Well Installation		43 MoReg 2261		
10 CSR 23-6.050	Well Installation		43 MoReg 2261		
10 CSR 23-6.060	Well Installation*		43 MoReg 2263R		
10 CSR 24-1.010	Hazardous Substance Emergency Response Office		43 MoReg 856	43 MoReg 3127	
10 CSR 25-2.010	Hazardous Waste Management Commission		43 MoReg 1759		
10 CSR 25-2.020	Hazardous Waste Management Commission		43 MoReg 1759R		
10 CSR 25-3.260	Hazardous Waste Management Commission		43 MoReg 1759		
10 CSR 25-4.261	Hazardous Waste Management Commission		43 MoReg 1761		
10 CSR 25-5.262	Hazardous Waste Management Commission		43 MoReg 1765		
10 CSR 25-6.263	Hazardous Waste Management Commission		43 MoReg 1767		
10 CSR 25-7.264	Hazardous Waste Management Commission		43 MoReg 1772		
10 CSR 25-7.265	Hazardous Waste Management Commission		43 MoReg 1774		
10 CSR 25-7.266	Hazardous Waste Management Commission		43 MoReg 1777		
10 CSR 25-7.270	Hazardous Waste Management Commission		43 MoReg 1778		
10 CSR 25-8.124	Hazardous Waste Management Commission		43 MoReg 1779		
10 CSR 25-9.020	Hazardous Waste Management Commission		43 MoReg 1787R		
10 CSR 25-10.010	Hazardous Waste Management Commission		43 MoReg 1790R		
10 CSR 25-11.279	Hazardous Waste Management Commission		43 MoReg 1790		
10 CSR 25-12.010	Hazardous Waste Management Commission		43 MoReg 1792		
10 CSR 25-13.010	Hazardous Waste Management Commission		43 MoReg 1795		
10 CSR 25-15.010	Hazardous Waste Management Commission		43 MoReg 1798		
10 CSR 25-16.273	Hazardous Waste Management Commission		43 MoReg 1800		
10 CSR 26-1.010	Petroleum and Hazardous Substance Storage Tanks		43 MoReg 271R	43 MoReg 1938R	
10 CSR 26-2.080	Petroleum and Hazardous Substance Storage Tanks		43 MoReg 2263		
10 CSR 50-1.020	Oil and Gas Council		43 MoReg 2265		
10 CSR 50-1.030	Oil and Gas Council		43 MoReg 2266		
10 CSR 50-1.050	Oil and Gas Council		43 MoReg 2268		
10 CSR 50-2.010	Oil and Gas Council		43 MoReg 2268		
10 CSR 50-2.020	Oil and Gas Council		43 MoReg 2269		
10 CSR 50-2.030	Oil and Gas Council		43 MoReg 2272		
10 CSR 50-2.040	Oil and Gas Council		43 MoReg 2273		
10 CSR 50-2.055	Oil and Gas Council		43 MoReg 2274		
10 CSR 50-2.060	Oil and Gas Council		43 MoReg 2276		
10 CSR 50-2.065	Oil and Gas Council		43 MoReg 2278		
10 CSR 50-2.080	Oil and Gas Council		43 MoReg 2279		
10 CSR 50-2.090	Oil and Gas Council		43 MoReg 2280		
10 CSR 60-2.015	Safe Drinking Water Commission		43 MoReg 1047	43 MoReg 3127	
10 CSR 60-3.010	Safe Drinking Water Commission		43 MoReg 1802		
10 CSR 60-3.020	Safe Drinking Water Commission		43 MoReg 1803		
10 CSR 60-3.030	Safe Drinking Water Commission		43 MoReg 1804		
10 CSR 60-4.022	Safe Drinking Water Commission		43 MoReg 1805		
10 CSR 60-4.025	Safe Drinking Water Commission		43 MoReg 1809		
10 CSR 60-4.050	Safe Drinking Water Commission		43 MoReg 1812		
10 CSR 60-4.052	Safe Drinking Water Commission		43 MoReg 1813		
10 CSR 60-4.055	Safe Drinking Water Commission		43 MoReg 1816		
10 CSR 60-4.060	Safe Drinking Water Commission		43 MoReg 1819		
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10 CSR 60-4.090	Safe Drinking Water Commission		43 MoReg 1824R		
10 CSR 60-4.094	Safe Drinking Water Commission		43 MoReg 1824		
10 CSR 60-4.100	Safe Drinking Water Commission		43 MoReg 1834		
10 CSR 60-6.050	Safe Drinking Water Commission		43 MoReg 1050R	43 MoReg 3128R	
10 CSR 60-6.060	Safe Drinking Water Commission		43 MoReg 1835		
10 CSR 60-6.070	Safe Drinking Water Commission		43 MoReg 1836		
10 CSR 60-7.010	Safe Drinking Water Commission		43 MoReg 1837		
10 CSR 60-8.010	Safe Drinking Water Commission		43 MoReg 1843		
10 CSR 60-8.030	Safe Drinking Water Commission		43 MoReg 1848		
10 CSR 60-9.010	Safe Drinking Water Commission		43 MoReg 1860		
10 CSR 60-10.010	Safe Drinking Water Commission		43 MoReg 1050	43 MoReg 3128	
10 CSR 60-11.010	Safe Drinking Water Commission		43 MoReg 1860		
10 CSR 60-11.030	Safe Drinking Water Commission		43 MoReg 1861		
10 CSR 60-13.010	Safe Drinking Water Commission		43 MoReg 1861		
10 CSR 60-13.020	Safe Drinking Water Commission		43 MoReg 1863		
10 CSR 60-13.025	Safe Drinking Water Commission		43 MoReg 1875		
10 CSR 60-13.030	Safe Drinking Water Commission		43 MoReg 1885		
10 CSR 60-14.010	Safe Drinking Water Commission		43 MoReg 1888		
10 CSR 60-14.020	Safe Drinking Water Commission		43 MoReg 1891		
10 CSR 60-16.010	Safe Drinking Water Commission		43 MoReg 1051	43 MoReg 3129	
10 CSR 60-16.020	Safe Drinking Water Commission		43 MoReg 1053	43 MoReg 3129	
10 CSR 60-16.030	Safe Drinking Water Commission		43 MoReg 1053	43 MoReg 3129	
10 CSR 70-2.010	Soil and Water Districts Commission		43 MoReg 1437	43 MoReg 3637	
10 CSR 70-2.020	Soil and Water Districts Commission		43 MoReg 1438	43 MoReg 3638	
10 CSR 70-3.010	Soil and Water Districts Commission		43 MoReg 1439	43 MoReg 3638	
10 CSR 70-4.010	Soil and Water Districts Commission		43 MoReg 1441	43 MoReg 3639	
10 CSR 70-5.010	Soil and Water Districts Commission		43 MoReg 1441	43 MoReg 3640	
10 CSR 70-5.020	Soil and Water Districts Commission		43 MoReg 1442	43 MoReg 3641	
10 CSR 70-5.030	Soil and Water Districts Commission		43 MoReg 1444	43 MoReg 3642	
10 CSR 70-5.040	Soil and Water Districts Commission		43 MoReg 1445	43 MoReg 3643	

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10 CSR 70-5.050	Soil and Water Districts Commission		43 MoReg 1445	43 MoReg 3643	
10 CSR 70-5.060	Soil and Water Districts Commission		43 MoReg 1447	43 MoReg 3644	
10 CSR 70-6.010	Soil and Water Districts Commission		43 MoReg 1448	43 MoReg 3644	
10 CSR 80-3.010	Solid Waste Management		43 MoReg 2280		
10 CSR 80-4.010	Solid Waste Management		43 MoReg 2307R		
10 CSR 80-6.010	Solid Waste Management		43 MoReg 1892R		
10 CSR 80-7.010	Solid Waste Management		43 MoReg 1893		
10 CSR 80-8.020	Solid Waste Management		43 MoReg 1895		
10 CSR 80-8.030	Solid Waste Management		43 MoReg 1896		
10 CSR 80-8.050	Solid Waste Management		43 MoReg 1897		
10 CSR 80-9.030	Solid Waste Management		43 MoReg 1054		
10 CSR 80-9.035	Solid Waste Management		43 MoReg 1055		
10 CSR 90-2.010	State Parks		43 MoReg 1905		
10 CSR 90-2.020	State Parks		43 MoReg 1906		
10 CSR 90-2.030	State Parks		43 MoReg 1908		
10 CSR 90-2.040	State Parks		43 MoReg 1912		
10 CSR 90-2.050	State Parks		43 MoReg 1913		
10 CSR 90-2.070	State Parks		43 MoReg 1914		
10 CSR 130-1.010	State Environmental Improvement and Energy Resources Authority		43 MoReg 2308 43 MoReg 3237	43 MoReg 3645W	
10 CSR 130-1.020	State Environmental Improvement and Energy Resources Authority		43 MoReg 2309 43 MoReg 3238	43 MoReg 3645W	
DEPARTMENT OF PUBLIC SAFETY					
11 CSR	Department of Public Safety				42 MoReg 990
11 CSR 30-8.010	Office of the Director		43 MoReg 1328R		
11 CSR 30-8.020	Office of the Director		43 MoReg 1328R		
11 CSR 30-8.030	Office of the Director		43 MoReg 1328R		
11 CSR 30-8.040	Office of the Director		43 MoReg 1328R		
11 CSR 30-9.010	Office of the Director		43 MoReg 1329R		
11 CSR 30-9.020	Office of the Director		43 MoReg 1329R		
11 CSR 30-9.030	Office of the Director		43 MoReg 1329R		
11 CSR 30-9.040	Office of the Director		43 MoReg 1329R		
11 CSR 30-9.050	Office of the Director		43 MoReg 1330R		
11 CSR 30-16.010	Office of the Director		42 MoReg 180		
11 CSR 30-16.020	Office of the Director		42 MoReg 182		
11 CSR 45-1.015	Missouri Gaming Commission		43 MoReg 1153	43 MoReg 3294	
11 CSR 45-1.090	Missouri Gaming Commission		43 MoReg 1155	43 MoReg 3295	
11 CSR 45-4.020	Missouri Gaming Commission		43 MoReg 1156	43 MoReg 3295	
11 CSR 45-4.210	Missouri Gaming Commission		43 MoReg 1157	43 MoReg 3295	
11 CSR 45-4.260	Missouri Gaming Commission		43 MoReg 1157	43 MoReg 3295	
11 CSR 45-4.380	Missouri Gaming Commission		43 MoReg 1158	43 MoReg 3295	
11 CSR 45-4.420	Missouri Gaming Commission		43 MoReg 3485		
11 CSR 45-5.065	Missouri Gaming Commission		43 MoReg 1158	43 MoReg 3296	
11 CSR 45-5.181	Missouri Gaming Commission		43 MoReg 1158	43 MoReg 3296	
11 CSR 45-5.184	Missouri Gaming Commission		43 MoReg 1159	43 MoReg 3296	
11 CSR 45-5.260	Missouri Gaming Commission		43 MoReg 1159	43 MoReg 3296	
11 CSR 45-6.010	Missouri Gaming Commission		43 MoReg 1160	43 MoReg 3296	
11 CSR 45-6.020	Missouri Gaming Commission		43 MoReg 1160	43 MoReg 3296	
11 CSR 45-6.025	Missouri Gaming Commission		43 MoReg 1162	43 MoReg 3297	
11 CSR 45-6.030	Missouri Gaming Commission		43 MoReg 1163	43 MoReg 3297	
11 CSR 45-7.090	Missouri Gaming Commission		43 MoReg 1448R	43 MoReg 3645R	
11 CSR 45-7.130	Missouri Gaming Commission		43 MoReg 3485		
11 CSR 45-7.160	Missouri Gaming Commission		43 MoReg 1163	43 MoReg 3297	
11 CSR 45-8.050	Missouri Gaming Commission		43 MoReg 1164	43 MoReg 3297	
11 CSR 45-8.060	Missouri Gaming Commission		43 MoReg 1164	43 MoReg 3297	
11 CSR 45-8.090	Missouri Gaming Commission		43 MoReg 1165	43 MoReg 3298	
11 CSR 45-8.130	Missouri Gaming Commission		43 MoReg 1165	43 MoReg 3298	
11 CSR 45-8.150	Missouri Gaming Commission		43 MoReg 1165	43 MoReg 3298	
11 CSR 45-9.101	Missouri Gaming Commission		43 MoReg 1166	43 MoReg 3298	
11 CSR 45-9.102	Missouri Gaming Commission		43 MoReg 3486		
11 CSR 45-9.106	Missouri Gaming Commission		43 MoReg 3486		
11 CSR 45-9.109	Missouri Gaming Commission		43 MoReg 3486		
11 CSR 45-9.116	Missouri Gaming Commission		43 MoReg 3487		
11 CSR 45-9.117	Missouri Gaming Commission		43 MoReg 3487		
11 CSR 45-9.120	Missouri Gaming Commission		43 MoReg 1166	43 MoReg 3298	
11 CSR 45-10.020	Missouri Gaming Commission		43 MoReg 1449	43 MoReg 3645	
11 CSR 45-30.020	Missouri Gaming Commission		43 MoReg 3488R		
11 CSR 45-30.065	Missouri Gaming Commission		43 MoReg 1167	43 MoReg 3299	
11 CSR 45-30.480	Missouri Gaming Commission		43 MoReg 1167R	43 MoReg 3299R	
11 CSR 45-30.523	Missouri Gaming Commission		43 MoReg 1167R	43 MoReg 3299R	
11 CSR 45-30.555	Missouri Gaming Commission		43 MoReg 1167	43 MoReg 3299	
11 CSR 45-40.030	Missouri Gaming Commission		43 MoReg 3488		
11 CSR 45-40.060	Missouri Gaming Commission		43 MoReg 1449	43 MoReg 3646	
11 CSR 70-1.010	Division of Alcohol and Tobacco Control		43 MoReg 3240		
11 CSR 70-2.010	Division of Alcohol and Tobacco Control		43 MoReg 3241		
11 CSR 70-2.020	Division of Alcohol and Tobacco Control		43 MoReg 3242		
11 CSR 70-2.030	Division of Alcohol and Tobacco Control		43 MoReg 3244		
11 CSR 70-2.040	Division of Alcohol and Tobacco Control		43 MoReg 3245		
11 CSR 70-2.050	Division of Alcohol and Tobacco Control		43 MoReg 3246		
11 CSR 70-2.060	Division of Alcohol and Tobacco Control		43 MoReg 3247		
11 CSR 70-2.070	Division of Alcohol and Tobacco Control		43 MoReg 3248		
11 CSR 70-2.080	Division of Alcohol and Tobacco Control		43 MoReg 3248		
11 CSR 70-2.090	Division of Alcohol and Tobacco Control		43 MoReg 3249		
11 CSR 70-2.100	Division of Alcohol and Tobacco Control		43 MoReg 3249		
11 CSR 70-2.120	Division of Alcohol and Tobacco Control		43 MoReg 3250		
11 CSR 70-2.130	Division of Alcohol and Tobacco Control		43 MoReg 3252		
11 CSR 70-2.140	Division of Alcohol and Tobacco Control		43 MoReg 1915	This Issue	
11 CSR 70-2.150	Division of Alcohol and Tobacco Control		43 MoReg 3253		

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11 CSR 70-2.180	Division of Alcohol and Tobacco Control		43 MoReg 3255		
11 CSR 70-2.190	Division of Alcohol and Tobacco Control		43 MoReg 3255		
11 CSR 70-2.200	Division of Alcohol and Tobacco Control		43 MoReg 1917R	This IssueR	
11 CSR 70-2.220	Division of Alcohol and Tobacco Control		43 MoReg 2462R	This IssueR	
11 CSR 70-2.230	Division of Alcohol and Tobacco Control		43 MoReg 3257		
11 CSR 70-2.240	Division of Alcohol and Tobacco Control	43 MoReg 3199			
11 CSR 70-2.250	Division of Alcohol and Tobacco Control		43 MoReg 3258		
11 CSR 70-2.260	Division of Alcohol and Tobacco Control		43 MoReg 3259		
11 CSR 70-2.270	Division of Alcohol and Tobacco Control		43 MoReg 3259		
11 CSR 70-2.280	Division of Alcohol and Tobacco Control		43 MoReg 3260		
11 CSR 70-3.010	Division of Alcohol and Tobacco Control		43 MoReg 3262		
11 CSR 70-3.020	Division of Alcohol and Tobacco Control		43 MoReg 2462R	This IssueR	
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12 CSR	Department of Revenue				42 MoReg 990
12 CSR 10-2.010	Director of Revenue		43 MoReg 3263		
12 CSR 10-3.017	Director of Revenue (<i>Changed to 12 CSR 10-103.017</i>)		43 MoReg 3266		
12 CSR 10-3.858	Director of Revenue (<i>Changed to 12 CSR 10-110.858</i>)		43 MoReg 3268		
12 CSR 10-3.876	Director of Revenue (<i>Changed to 12 CSR 10-103.876</i>)		43 MoReg 3266		
12 CSR 10-4.320	Director of Revenue (<i>Changed to 12 CSR 10-113.320</i>)		43 MoReg 3268		
12 CSR 10-10.120	Director of Revenue		43 MoReg 3268		
12 CSR 10-23.100	Director of Revenue		43 MoReg 3489		
12 CSR 10-23.260	Director of Revenue		43 MoReg 3490		
12 CSR 10-23.280	Director of Revenue		43 MoReg 3491		
12 CSR 10-23.340	Director of Revenue		43 MoReg 3491		
12 CSR 10-23.345	Director of Revenue		43 MoReg 3492		
12 CSR 10-23.350	Director of Revenue		43 MoReg 3492		
12 CSR 10-23.370	Director of Revenue		43 MoReg 3494		
12 CSR 10-23.405	Director of Revenue		43 MoReg 3494		
12 CSR 10-23.424	Director of Revenue		43 MoReg 3495		
12 CSR 10-24.448	Director of Revenue		43 MoReg 2541		
12 CSR 10-24.470	Director of Revenue		43 MoReg 2645R		
12 CSR 10-26.080	Director of Revenue		43 MoReg 3495		
12 CSR 10-26.180	Director of Revenue		43 MoReg 3496		
12 CSR 10-26.190	Director of Revenue		43 MoReg 3496		
12 CSR 10-41.010	Director of Revenue	43 MoReg 3347	43 MoReg 3497		
12 CSR 10-101.500	Director of Revenue		43 MoReg 3269		
12 CSR 10-103.017	Director of Revenue (<i>Changed from 12 CSR 10-3.017</i>)		43 MoReg 3266		
12 CSR 10-103.395	Director of Revenue		43 MoReg 3270		
12 CSR 10-103.700	Director of Revenue		43 MoReg 3270		
12 CSR 10-103.876	Director of Revenue (<i>Changed from 12 CSR 10-3.876</i>)		43 MoReg 3266		
12 CSR 10-110.858	Director of Revenue (<i>Changed from 12 CSR 10-3.858</i>)		43 MoReg 3268		
12 CSR 10-113.320	Director of Revenue (<i>Changed from 12 CSR 10-4.320</i>)		43 MoReg 3268		
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13 CSR	Department of Social Services				42 MoReg 990
13 CSR 5-2.010	Office of the Director (<i>Changed from 13 CSR 45-2.010</i>)		43 MoReg 2654		
13 CSR 10-3.010	Division of Finance and Administrative Services (<i>Changed from 13 CSR 35-100.010</i>)		43 MoReg 2544		
13 CSR 10-3.020	Division of Finance and Administrative Services (<i>Changed from 13 CSR 35-100.020</i>)		43 MoReg 2546		
13 CSR 10-3.030	Division of Finance and Administrative Services (<i>Changed from 13 CSR 35-100.030</i>)		43 MoReg 2549		
13 CSR 10-3.040	Division of Finance and Administrative Services (<i>Changed from 13 CSR 40-79.010</i>)		43 MoReg 2553		
13 CSR 10-3.050	Division of Finance and Administrative Services		43 MoReg 2543		
13 CSR 10-4.010	Division of Finance and Administrative Services	43 MoReg 2455	43 MoReg 2462		
13 CSR 15-19.010	Division of Aging		43 MoReg 2853R		
13 CSR 30-2.010	Child Support Enforcement (<i>Changed to 13 CSR 40-108.040</i>)		43 MoReg 2645		
13 CSR 30-4.020	Child Support Enforcement (<i>Changed to 13 CSR 40-104.010</i>)		43 MoReg 2648		
13 CSR 30-5.010	Child Support Enforcement (<i>Changed to 13 CSR 40-102.010</i>)		43 MoReg 2853		
13 CSR 30-5.020	Child Support Enforcement (<i>Changed to 13 CSR 40-106.010</i>)		43 MoReg 3072		
13 CSR 30-6.010	Child Support Enforcement (<i>Changed to 13 CSR 40-104.020</i>)		43 MoReg 3074		
13 CSR 30-7.010	Child Support Enforcement (<i>Changed to 13 CSR 40-100.020</i>)		43 MoReg 3075		
13 CSR 30-8.010	Child Support Enforcement (<i>Changed to 13 CSR 40-100.030</i>)		43 MoReg 2855		
13 CSR 30-9.010	Child Support Enforcement (<i>Changed to 13 CSR 40-108.030</i>)		43 MoReg 2650		

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13 CSR 30-10.010	Child Support Enforcement (<i>Changed to 13 CSR 40-110.040</i>)		43 MoReg 2651		
13 CSR 35-31.015	Children's Division		43 MoReg 2652		
13 CSR 35-34.080	Children's Division		43 MoReg 3502		
13 CSR 35-35.050	Children's Division (<i>Changed from 13 CSR 40-30.010</i>)		43 MoReg 2654		
13 CSR 35-60.030	Children's Division		43 MoReg 3081		
13 CSR 35-73.010	Children's Division (<i>Changed from 13 CSR 40-73.010</i>)		43 MoReg 2979		
13 CSR 35-73.012	Children's Division (<i>Changed from 13 CSR 40-73.012</i>)		43 MoReg 2857		
13 CSR 35-73.030	Children's Division (<i>Changed from 13 CSR 40-73.030</i>)		43 MoReg 2858		
13 CSR 35-73.035	Children's Division (<i>Changed from 13 CSR 40-73.035</i>)		43 MoReg 2979		
13 CSR 35-73.040	Children's Division (<i>Changed from 13 CSR 40-73.040</i>)		43 MoReg 2980		
13 CSR 35-73.050	Children's Division (<i>Changed from 13 CSR 40-73.050</i>)		43 MoReg 2980		
13 CSR 35-73.060	Children's Division (<i>Changed from 13 CSR 40-73.060</i>)		43 MoReg 2981		
13 CSR 35-73.070	Children's Division (<i>Changed from 13 CSR 40-73.070</i>)		43 MoReg 2981		
13 CSR 35-73.075	Children's Division (<i>Changed from 13 CSR 40-73.075</i>)		43 MoReg 2981		
13 CSR 35-73.080	Children's Division (<i>Changed from 13 CSR 40-73.080</i>)		43 MoReg 2982		
13 CSR 35-100.010	Children's Division (<i>Changed to 13 CSR 10-3.010</i>)		43 MoReg 2544		
13 CSR 35-100.020	Children's Division (<i>Changed to 13 CSR 10-3.020</i>)		43 MoReg 2546		
13 CSR 35-100.030	Children's Division (<i>Changed to 13 CSR 10-3.030</i>)		43 MoReg 2549		
13 CSR 40-2.010	Family Support Division		43 MoReg 3082		
13 CSR 40-2.020	Family Support Division		43 MoReg 3082		
13 CSR 40-2.040	Family Support Division		43 MoReg 3082		
13 CSR 40-2.050	Family Support Division		43 MoReg 2653		
13 CSR 40-2.090	Family Support Division		43 MoReg 2551R		
13 CSR 40-2.100	Family Support Division		43 MoReg 2653		
13 CSR 40-2.120	Family Support Division		43 MoReg 3083		
13 CSR 40-2.150	Family Support Division		43 MoReg 2551		
13 CSR 40-2.200	Family Support Division		43 MoReg 3084		
13 CSR 40-2.260	Family Support Division		43 MoReg 3085		
13 CSR 40-2.375	Family Support Division		43 MoReg 2552R		
13 CSR 40-2.395	Family Support Division		43 MoReg 3086		
13 CSR 40-3.020	Family Support Division (<i>Changed to 13 CSR 40-108.020</i>)		43 MoReg 2653		
13 CSR 40-7.010	Family Support Division		43 MoReg 3087		
13 CSR 40-7.020	Family Support Division		43 MoReg 2654		
13 CSR 40-7.070	Family Support Division		43 MoReg 2552		
13 CSR 40-30.010	Family Support Division (<i>Changed to 13 CSR 35-35.050</i>)		43 MoReg 2654		
13 CSR 40-32.020	Family Support Division		43 MoReg 2856R		
13 CSR 40-34.012	Family Support Division		43 MoReg 1917R	This IssueR	
13 CSR 40-34.060	Family Support Division		43 MoReg 3089R		
13 CSR 40-36.001	Family Support Division		43 MoReg 2857R		
13 CSR 40-50.010	Family Support Division		43 MoReg 3089R		
13 CSR 40-73.010	Family Support Division (<i>Changed to 13 CSR 35-73.010</i>)		43 MoReg 2979		
13 CSR 40-73.012	Family Support Division (<i>Changed to 13 CSR 35-73.012</i>)		43 MoReg 2857		
13 CSR 40-73.015	Family Support Division		43 MoReg 2857R		
13 CSR 40-73.018	Family Support Division		43 MoReg 2858R		
13 CSR 40-73.030	Family Support Division (<i>Changed to 13 CSR 35-73.030</i>)		43 MoReg 2858		
13 CSR 40-73.035	Family Support Division (<i>Changed to 13 CSR 35-73.035</i>)		43 MoReg 2979		
13 CSR 40-73.040	Family Support Division (<i>Changed to 13 CSR 35-73.040</i>)		43 MoReg 2980		
13 CSR 40-73.050	Family Support Division (<i>Changed to 13 CSR 35-73.050</i>)		43 MoReg 2980		
13 CSR 40-73.060	Family Support Division (<i>Changed to 13 CSR 35-73.060</i>)		43 MoReg 2981		
13 CSR 40-73.070	Family Support Division (<i>Changed to 13 CSR 35-73.070</i>)		43 MoReg 2981		
13 CSR 40-73.075	Family Support Division (<i>Changed to 13 CSR 35-73.075</i>)		43 MoReg 2981		
13 CSR 40-73.080	Family Support Division (<i>Changed to 13 CSR 35-73.080</i>)		43 MoReg 2982		
13 CSR 40-79.010	Family Support Division (<i>Changed to 13 CSR 10-3.040</i>)		43 MoReg 2553		
13 CSR 40-80.010	Family Support Division		43 MoReg 2555R		
13 CSR 40-91.010	Family Support Division		43 MoReg 3089		
13 CSR 40-91.030	Family Support Division		43 MoReg 3092		
13 CSR 40-100.020	Family Support Division (<i>Changed from 13 CSR 30-7.010</i>)		43 MoReg 3075		
13 CSR 40-100.030	Family Support Division (<i>Changed from 13 CSR 30-8.010</i>)		43 MoReg 2855		
13 CSR 40-102.010	Family Support Division (<i>Changed from 13 CSR 30-5.010</i>)		43 MoReg 2853		

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13 CSR 40-104.010	Family Support Division (<i>Changed from 13 CSR 30-4.020</i>)		43 MoReg 2648		
13 CSR 40-104.020	Family Support Division (<i>Changed from 13 CSR 30-6.010</i>)		43 MoReg 3074		
13 CSR 40-106.010	Family Support Division (<i>Changed from 13 CSR 30-5.020</i>)		43 MoReg 3072		
13 CSR 40-108.020	Family Support Division (<i>Changed from 13 CSR 40-3.020</i>)		43 MoReg 2653		
13 CSR 40-108.030	Family Support Division (<i>Changed from 13 CSR 30-9.010</i>)		43 MoReg 2650		
13 CSR 40-108.040	Family Support Division (<i>Changed from 13 CSR 30-2.010</i>)		43 MoReg 2645		
13 CSR 40-110.040	Family Support Division (<i>Changed from 13 CSR 30-10.010</i>)		43 MoReg 2651		
13 CSR 45-2.010	Division of Legal Services (<i>Changed to 13 CSR 5-2.010</i>)		43 MoReg 2654		
13 CSR 65-3.010	Missouri Medicaid Audit and Compliance		43 MoReg 2555		
13 CSR 65-3.060	Missouri Medicaid Audit and Compliance		43 MoReg 2858		
13 CSR 70-2.100	MO HealthNet Division		43 MoReg 2859		
13 CSR 70-3.100	MO HealthNet Division		43 MoReg 3092		
13 CSR 70-3.130	MO HealthNet Division		43 MoReg 2860R		
13 CSR 70-3.190	MO HealthNet Division		43 MoReg 1917R	This IssueR	
13 CSR 70-3.230	MO HealthNet Division		43 MoReg 2860		
13 CSR 70-3.270	MO HealthNet Division		43 MoReg 2557		
13 CSR 70-3.300	MO HealthNet Division		43 MoReg 2658		
13 CSR 70-4.051	MO HealthNet Division		43 MoReg 3093		
13 CSR 70-4.070	MO HealthNet Division		43 MoReg 1918R	This IssueR	
13 CSR 70-10.016	MO HealthNet Division		43 MoReg 3094		
13 CSR 70-10.070	MO HealthNet Division		43 MoReg 2866		
13 CSR 70-10.120	MO HealthNet Division		43 MoReg 2661		
13 CSR 70-10.160	MO HealthNet Division		43 MoReg 2866		
13 CSR 70-15.010	MO HealthNet Division	43 MoReg 1991	43 MoReg 2311	43 MoReg 3646	
13 CSR 70-15.110	MO HealthNet Division	43 MoReg 1994	43 MoReg 2315	43 MoReg 3646	
13 CSR 70-15.160	MO HealthNet Division		43 MoReg 1170	43 MoReg 3130	
13 CSR 70-20.030	MO HealthNet Division		43 MoReg 2868		
13 CSR 70-20.031	MO HealthNet Division		43 MoReg 3099		
13 CSR 70-20.032	MO HealthNet Division		43 MoReg 1918R	This IssueR	
13 CSR 70-20.034	MO HealthNet Division		43 MoReg 3099R		
13 CSR 70-20.040	MO HealthNet Division		43 MoReg 1918R	This IssueR	
13 CSR 70-20.060	MO HealthNet Division		43 MoReg 2564		
13 CSR 70-20.070	MO HealthNet Division		43 MoReg 2566		
13 CSR 70-20.340	MO HealthNet Division		43 MoReg 3099		
13 CSR 70-26.010	MO HealthNet Division		43 MoReg 3101		
13 CSR 70-30.010	MO HealthNet Division		43 MoReg 3103		
13 CSR 70-94.010	MO HealthNet Division		43 MoReg 3502		
13 CSR 70-98.015	MO HealthNet Division		43 MoReg 3103		
13 CSR 70-98.020	MO HealthNet Division		43 MoReg 3105		
13 CSR 110-2.060	Division of Youth Services		43 MoReg 2662		
13 CSR 110-2.120	Division of Youth Services		43 MoReg 2663		
13 CSR 110-3.010	Division of Youth Services		43 MoReg 3106		
13 CSR 110-3.015	Division of Youth Services		43 MoReg 2868R		
13 CSR 110-3.020	Division of Youth Services		43 MoReg 2869R		
13 CSR 110-3.030	Division of Youth Services		43 MoReg 3505		
13 CSR 110-3.040	Division of Youth Services		43 MoReg 3106		
13 CSR 110-3.050	Division of Youth Services		43 MoReg 3271R		
13 CSR 110-3.060	Division of Youth Services		43 MoReg 3107		
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14 CSR	Department of Corrections				42 MoReg 990
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15 CSR	Elected Officials				43 MoReg 1498
15 CSR 30-70.010	Secretary of State	43 MoReg 2765	43 MoReg 2869		
15 CSR 30-70.020	Secretary of State	43 MoReg 2766	43 MoReg 2870		
15 CSR 30-70.030	Secretary of State	43 MoReg 2767	43 MoReg 2870		
15 CSR 30-70.040	Secretary of State	43 MoReg 2768	43 MoReg 2871		
15 CSR 30-70.050	Secretary of State	43 MoReg 2768	43 MoReg 2872		
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15 CSR 30-70.070	Secretary of State	43 MoReg 2770	43 MoReg 2872		
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15 CSR 30-70.090	Secretary of State	43 MoReg 2771	43 MoReg 2873		
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16 CSR	Retirement Systems				43 MoReg 1498
16 CSR 50-2.010	The County Employees' Retirement Fund		42 MoReg 1591	43 MoReg 293	
16 CSR 50-2.030	The County Employees' Retirement Fund		42 MoReg 1592	43 MoReg 293	
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17 CSR	Board of Police Commissioners				43 MoReg 1498
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18 CSR	Public Defender Commission				43 MoReg 1498
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19 CSR 10-10	Office of the Director				42 MoReg 991
19 CSR 10-10.130	Office of the Director	43 MoReg 2967	43 MoReg 2982		
19 CSR 30-1.002	Division of Regulation and Licensure	43 MoReg 3347	43 MoReg 3506		
19 CSR 30-1.023	Division of Regulation and Licensure	43 MoReg 2970	43 MoReg 2990		
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19 CSR 30-1.078	Division of Regulation and Licensure	43 MoReg 2972	43 MoReg 2991		

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19 CSR 60-50	Missouri Health Facilities Review Committee				43 MoReg 3151 43 MoReg 3301 43 MoReg 3651
19 CSR 73-2.023	Missouri Board of Nursing Home Administrators		43 MoReg 2874		
19 CSR 73-2.050	Missouri Board of Nursing Home Administrators		43 MoReg 2875		
19 CSR 73-2.051	Missouri Board of Nursing Home Administrators		43 MoReg 2876		
19 CSR 73-2.053	Missouri Board of Nursing Home Administrators		43 MoReg 2876		
19 CSR 73-2.060	Missouri Board of Nursing Home Administrators		43 MoReg 2877		
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20 CSR	Applied Behavior Analysis Maximum Benefit				43 MoReg 477
20 CSR	Caps for Medical Malpractice				43 MoReg 1376
20 CSR	Construction Claims Binding Arbitration Cap				42 MoReg 1851 This Issue
20 CSR	Sovereign Immunity Limits				42 MoReg 1851 This Issue
20 CSR	State Legal Expense Fund Cap				42 MoReg 1851 This Issue
20 CSR 100-6.100	Insurer Conduct		43 MoReg 3512		
20 CSR 100-9.100	Insurer Conduct		43 MoReg 3523		
20 CSR 200-1.005	Insurance Solvency and Company Regulation		43 MoReg 3523		
20 CSR 200-1.010	Insurance Solvency and Company Regulation		43 MoReg 3524R		
20 CSR 200-1.020	Insurance Solvency and Company Regulation		43 MoReg 3524		
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20 CSR 200-1.040	Insurance Solvency and Company Regulation		43 MoReg 3526		
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20 CSR 200-3.010	Insurance Solvency and Company Regulation		43 MoReg 3532		
20 CSR 200-3.200	Insurance Solvency and Company Regulation		43 MoReg 3532		
20 CSR 200-4.010	Insurance Solvency and Company Regulation		43 MoReg 3533		
20 CSR 200-5.010	Insurance Solvency and Company Regulation		43 MoReg 3534		
20 CSR 200-17.200	Insurance Solvency and Company Regulation		43 MoReg 3534		
20 CSR 200-19.020	Insurance Solvency and Company Regulation		43 MoReg 3534		
20 CSR 200-19.050	Insurance Solvency and Company Regulation		43 MoReg 3535		
20 CSR 400-6.100	Life, Annuities and Health		43 MoReg 3535		
20 CSR 500-10.100	Property and Casualty		43 MoReg 3536R		
20 CSR 500-10.200	Property and Casualty		43 MoReg 3536R		
20 CSR 500-10.300	Property and Casualty		43 MoReg 3536R		
20 CSR 500-10.400	Property and Casualty		43 MoReg 3537R		
20 CSR 800-3.010	Administrative Procedures under the Insurance Laws		43 MoReg 3537		
20 CSR 800-3.020	Administrative Procedures under the Insurance Laws		43 MoReg 3537		
20 CSR 2015-1.010	Acupuncturist Advisory Committee		43 MoReg 1450	43 MoReg 3145	
20 CSR 2015-1.020	Acupuncturist Advisory Committee		43 MoReg 1451	43 MoReg 3145	
20 CSR 2015-1.030	Acupuncturist Advisory Committee		43 MoReg 1452	43 MoReg 3145	
20 CSR 2015-2.010	Acupuncturist Advisory Committee		43 MoReg 1455	43 MoReg 3145	
20 CSR 2015-2.020	Acupuncturist Advisory Committee		43 MoReg 1455	43 MoReg 3145W	
20 CSR 2015-3.010	Acupuncturist Advisory Committee		43 MoReg 1456	43 MoReg 3146	
20 CSR 2015-3.020	Acupuncturist Advisory Committee		43 MoReg 1456	43 MoReg 3146	
20 CSR 2015-4.010	Acupuncturist Advisory Committee		43 MoReg 1457	43 MoReg 3146	
20 CSR 2015-4.020	Acupuncturist Advisory Committee		43 MoReg 1458	43 MoReg 3146	
20 CSR 2030-4.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1458	43 MoReg 3146	
20 CSR 2030-5.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1458	43 MoReg 3147	
20 CSR 2030-5.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1459	43 MoReg 3147	
20 CSR 2030-5.055	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1460	43 MoReg 3147	
20 CSR 2030-5.080	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1460	43 MoReg 3147	
20 CSR 2030-5.090	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1461	43 MoReg 3147	
20 CSR 2030-5.100	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1461	43 MoReg 3148W	
20 CSR 2030-5.105	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1461	43 MoReg 3148	
20 CSR 2030-5.110	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1462	43 MoReg 3148W	
20 CSR 2030-5.130	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1463	43 MoReg 3148	
20 CSR 2030-5.140	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1463	43 MoReg 3148	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
20 CSR 2030-5.160	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1463	43 MoReg 3149	
20 CSR 2030-6.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1464	43 MoReg 3149	
20 CSR 2030-6.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1468	43 MoReg 3149	
20 CSR 2030-8.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1471	43 MoReg 3149	
20 CSR 2030-10.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1471	43 MoReg 3150	
20 CSR 2030-15.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1472	43 MoReg 3150	
20 CSR 2030-21.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1473	43 MoReg 3150	
20 CSR 2030-21.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		43 MoReg 1473	43 MoReg 3150	
20 CSR 2040-2.011	Office of Athletics	43 MoReg 2772	43 MoReg 2878		
20 CSR 2040-2.021	Office of Athletics	43 MoReg 2772	43 MoReg 2883		
20 CSR 2070-3.010	State Board of Chiropractic Examiners		43 MoReg 3538R		
20 CSR 2070-4.010	State Board of Chiropractic Examiners		43 MoReg 3271R		
20 CSR 2085-3.010	Board of Cosmetology and Barber Examiners	43 MoReg 3058	43 MoReg 3271		
20 CSR 2095-1.020	Committee for Professional Counselors		43 MoReg 3108		
20 CSR 2110-1.010	Missouri Dental Board		43 MoReg 3111		
20 CSR 2110-1.020	Missouri Dental Board		43 MoReg 2886		
20 CSR 2110-2.075	Missouri Dental Board		43 MoReg 2886		
20 CSR 2110-2.131	Missouri Dental Board		43 MoReg 3274		
20 CSR 2110-2.170	Missouri Dental Board		43 MoReg 2886		
20 CSR 2110-2.250	Missouri Dental Board	This Issue	43 MoReg 2887		
20 CSR 2110-4.020	Missouri Dental Board		This Issue		
20 CSR 2150-3.080	State Board of Registration for the Healing Arts		43 MoReg 3277		
20 CSR 2150-3.170	State Board of Registration for the Healing Arts	43 MoReg 2459	43 MoReg 2469	43 MoReg 3646	
20 CSR 2150-3.300	State Board of Registration for the Healing Arts	43 MoReg 2459	43 MoReg 2472	43 MoReg 3646	
20 CSR 2150-5.025	State Board of Registration for the Healing Arts	43 MoReg 2460	43 MoReg 2475	43 MoReg 3647	
20 CSR 2200-4.020	State Board of Nursing	43 MoReg 2773	43 MoReg 2890		
20 CSR 2200-4.030	State Board of Nursing		43 MoReg 2319	43 MoReg 3299	
20 CSR 2200-4.040	State Board of Nursing		43 MoReg 2327	43 MoReg 3299	
20 CSR 2200-4.100	State Board of Nursing		43 MoReg 2327	43 MoReg 3300	
20 CSR 2200-7.010	State Board of Nursing		43 MoReg 2328	43 MoReg 3300	
20 CSR 2210-1.010	State Board of Optometry		43 MoReg 3278		
20 CSR 2210-1.020	State Board of Optometry		43 MoReg 2892		
20 CSR 2210-2.011	State Board of Optometry		43 MoReg 2893		
20 CSR 2210-2.020	State Board of Optometry		This Issue		
20 CSR 2210-2.030	State Board of Optometry		43 MoReg 2893		
20 CSR 2210-2.060	State Board of Optometry		43 MoReg 2895		
20 CSR 2220-2.200	State Board of Pharmacy	43 MoReg 2776	43 MoReg 2896		
20 CSR 2220-4.010	State Board of Pharmacy	43 MoReg 3058T			
20 CSR 2231-3.010	Division of Professional Registration	This Issue	This Issue		
20 CSR 2232-1.040	Missouri State Committee of Interpreters	This Issue	This Issue		
20 CSR 2245-1.010	Real Estate Appraisers	43 MoReg 2639	43 MoReg 2664		
20 CSR 2245-3.005	Real Estate Appraisers	43 MoReg 2640	43 MoReg 2664		
20 CSR 2245-3.010	Real Estate Appraisers	43 MoReg 2641	43 MoReg 2665		
20 CSR 2245-6.040	Real Estate Appraisers	43 MoReg 2642	43 MoReg 2665		
20 CSR 2245-8.010	Real Estate Appraisers	43 MoReg 2643	43 MoReg 2666		
20 CSR 2245-8.030	Real Estate Appraisers	43 MoReg 2643	43 MoReg 2666		
20 CSR 2270-1.011	Missouri Veterinary Medical Board		43 MoReg 2570	This Issue	
20 CSR 2270-1.031	Missouri Veterinary Medical Board		43 MoReg 2570	This Issue	
20 CSR 2270-2.031	Missouri Veterinary Medical Board		43 MoReg 2572	This Issue	
20 CSR 2270-2.041	Missouri Veterinary Medical Board		43 MoReg 2572	This Issue	
20 CSR 2270-3.020	Missouri Veterinary Medical Board		43 MoReg 2572	This Issue	
20 CSR 2270-4.011	Missouri Veterinary Medical Board		43 MoReg 2573	This Issue	
20 CSR 2270-4.021	Missouri Veterinary Medical Board		43 MoReg 2573	This Issue	
20 CSR 2270-4.031	Missouri Veterinary Medical Board		43 MoReg 2574	This Issue	
20 CSR 2270-4.041	Missouri Veterinary Medical Board		43 MoReg 2574	This Issue	
20 CSR 2270-4.042	Missouri Veterinary Medical Board		43 MoReg 2575	This Issue	
20 CSR 2270-6.011	Missouri Veterinary Medical Board		43 MoReg 2575	This Issue	
MISSOURI CONSOLIDATED HEALTH CARE PLAN					
22 CSR 10-1.030	Health Care Plan	43 MoReg 3354	43 MoReg 3539		
22 CSR 10-2.010	Health Care Plan	43 MoReg 3356	43 MoReg 3540		
22 CSR 10-2.020	Health Care Plan	43 MoReg 3357	43 MoReg 3541		
22 CSR 10-2.030	Health Care Plan	43 MoReg 3362	43 MoReg 3546		
22 CSR 10-2.045	Health Care Plan	43 MoReg 3365	43 MoReg 3549		
22 CSR 10-2.046	Health Care Plan	43 MoReg 3366	43 MoReg 3550		
22 CSR 10-2.047	Health Care Plan	43 MoReg 3368	43 MoReg 3551		
22 CSR 10-2.051	Health Care Plan	43 MoReg 3370R	43 MoReg 3553R		
22 CSR 10-2.052	Health Care Plan	43 MoReg 3370R	43 MoReg 3553R		
22 CSR 10-2.053	Health Care Plan	43 MoReg 3370	43 MoReg 3553		
22 CSR 10-2.055	Health Care Plan	43 MoReg 3372	43 MoReg 3555		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
22 CSR 10-2.060	Health Care Plan	43 MoReg 3381R	43 MoReg 3564R		
22 CSR 10-2.061	Health Care Plan	43 MoReg 3382	43 MoReg 3564		
22 CSR 10-2.075	Health Care Plan	43 MoReg 3383	43 MoReg 3566		
22 CSR 10-2.080	Health Care Plan	43 MoReg 3384	43 MoReg 3566		
22 CSR 10-2.088	Health Care Plan	43 MoReg 3384	43 MoReg 3567		
22 CSR 10-2.089	Health Care Plan	43 MoReg 3385	43 MoReg 3567		
22 CSR 10-2.090	Health Care Plan	43 MoReg 3386	43 MoReg 3568		
22 CSR 10-2.110	Health Care Plan	43 MoReg 3389	43 MoReg 3570		
22 CSR 10-2.140	Health Care Plan	43 MoReg 3390	43 MoReg 3572		
22 CSR 10-3.010	Health Care Plan	43 MoReg 3391	43 MoReg 3579		
22 CSR 10-3.020	Health Care Plan	43 MoReg 3392	43 MoReg 3579		
22 CSR 10-3.045	Health Care Plan	43 MoReg 3395	43 MoReg 3582		
22 CSR 10-3.053	Health Care Plan	43 MoReg 3396R	43 MoReg 3583R		
22 CSR 10-3.055	Health Care Plan	43 MoReg 3397	43 MoReg 3584		
22 CSR 10-3.056	Health Care Plan	43 MoReg 3397R	43 MoReg 3584R		
22 CSR 10-3.057	Health Care Plan	43 MoReg 3398	43 MoReg 3584		
22 CSR 10-3.058	Health Care Plan	43 MoReg 3407	43 MoReg 3594		
22 CSR 10-3.059	Health Care Plan	43 MoReg 3409	43 MoReg 3595		
22 CSR 10-3.060	Health Care Plan	43 MoReg 3410R	43 MoReg 3597R		
22 CSR 10-3.061	Health Care Plan	43 MoReg 3411	43 MoReg 3597		
22 CSR 10-3.080	Health Care Plan	43 MoReg 3412	43 MoReg 3598		
22 CSR 10-3.090	Health Care Plan	43 MoReg 3413	43 MoReg 3599		

*4 CSR 80—*Economic Development Programs* is changing to *Division of Economic Development Programs*.

*10 CSR 23—*Division of Geology and Land Survey* is changing to *Well Installation*.

Agency	Publication	Effective	Expiration
Office of Administration			
Division of Corrections			
1 CSR 20-1.010	General Organization . . . . .	.43 MoReg 2735	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-1.020	Definitions . . . . .	.43 MoReg 2736	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-1.040	Unclassified Service . . . . .	.43 MoReg 2740	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-1.045	Covered Service . . . . .	.43 MoReg 2741	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-2.010	The Classification Plan . . . . .	.43 MoReg 2742	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-2.015	Broad Classification Bands . . . . .	.43 MoReg 2744	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-2.020	The Pay Plan . . . . .	.43 MoReg 2747	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-3.010	Examinations . . . . .	.43 MoReg 2749	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-3.020	Registers . . . . .	.43 MoReg 2753	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-3.030	Certification and Appointment . . . . .	.43 MoReg 2754	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-3.040	Probationary Period . . . . .	.43 MoReg 2757	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-3.050	Service Reports . . . . .	.43 MoReg 2758	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-3.070	Separation, Suspension, and Demotion . . . . .	.43 MoReg 2759	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-3.080	General Provisions and Prohibitions . . . . .	.43 MoReg 2763	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-4.010	Appeals . . . . .	.43 MoReg 2764	Aug. 28, 2018Feb. 28, 2019
1 CSR 20-4.020	Grievance Procedures . . . . .	.43 MoReg 2764	Aug. 28, 2018Feb. 28, 2019
Purchasing and Materials Management			
1 CSR 40-1.050	Procedures for Solicitation, Receipt of Bids, and Award and Administration of Contracts . . . . .	.43 MoReg 2967	Sept. 15, 2018March. 13, 2019
Missouri Ethics Commission			
1 CSR 50-5.010	Definitions . . . . .	.43 MoReg 1121	Aug. 8, 2018Feb. 4, 2019
1 CSR 50-5.020	Registration Requirements for Committees Domiciled Outside the State of Missouri and Out-of-State Committees . . . . .	.43 MoReg 1121	Aug. 8, 2018Feb. 4, 2019
Department of Labor and Industrial Relations			
Division of Labor Standards			
8 CSR 30-3.010	Applicable Wage Rates for Public Works Projects	Next Issue	Dec. 01, 2018May 29, 2019
8 CSR 30-3.030	Apprentices and Entry-Level Workers	Next Issue	Dec. 01, 2018May 29, 2019
8 CSR 30-3.040	Classifications of Construction Work	Next Issue	Dec. 01, 2018May 29, 2019
8 CSR 30-3.050	Posting of Prevailing Wage Rates	Next Issue	Dec. 01, 2018May 29, 2019
8 CSR 30-3.060	Occupational Titles of Work Descriptions	Next Issue	Dec. 01, 2018May 29, 2019
Department of Public Safety			
Division of Alcohol and Tobacco Control			
11 CSR 70-2.240	Advertising of Intoxicating Liquor . . . . .	.43 MoReg 3199	Oct. 20, 2018April 17, 2019
Department of Revenue			
Director of Revenue			
12 CSR 10-41.010	Annual Adjusted Rate of Interest . . . . .	.43 MoReg 3347	Jan. 1, 2019June 29, 2019
Department of Social Services			
Division of Finance and Administrative Services			
13 CSR 10-4.010	Prohibition Against Expenditure of Appropriated Funds for Abortion Facilities . . . . .	.43 MoReg 2455	July 15, 2018Feb. 28, 2019
MO HealthNet Division			
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology . . . . .	.43 MoReg 1991	July 1, 2018Feb. 28, 2019
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA) . . . . .	.43 MoReg 1994	July 1, 2018Feb. 28, 2019
Elected Officials			
Secretary of State			
15 CSR 30-70.010	Definitions . . . . .	.43 MoReg 2765	Sept. 2, 2018Feb. 28, 2019
15 CSR 30-70.020	Application Assistant Training, Registration, and Renewal . . . . .	.43 MoReg 2766	Sept. 2, 2018Feb. 28, 2019
15 CSR 30-70.030	Program Participant Application and Certification Process . . . . .	.43 MoReg 2767	Sept. 2, 2018Feb. 28, 2019
15 CSR 30-70.040	Cancellation of Program Certification . . . . .	.43 MoReg 2768	Sept. 2, 2018Feb. 28, 2019
15 CSR 30-70.050	Exercise of Program Participant's Privileges . . . . .	.43 MoReg 2768	Sept. 2, 2018Feb. 28, 2019
15 CSR 30-70.060	Service of Process . . . . .	.43 MoReg 2769	Sept. 2, 2018Feb. 28, 2019
15 CSR 30-70.070	Program Participant Renewal . . . . .	.43 MoReg 2770	Sept. 2, 2018Feb. 28, 2019
15 CSR 30-70.080	Agency Disclosure Request . . . . .	.43 MoReg 2770	Sept. 2, 2018Feb. 28, 2019
15 CSR 30-70.090	Disclosure to Law Enforcement . . . . .	.43 MoReg 2771	Sept. 2, 2018Feb. 28, 2019
15 CSR 30-130.010	Definitions	Next Issue	Dec. 10, 2018June 7, 2019
15 CSR 30-130.020	Applications, Interim Operating Permits and Forms	Next Issue	Dec. 10, 2018June 7, 2019
15 CSR 30-130.030	Fees	Next Issue	Dec. 10, 2018June 7, 2019

Agency	Publication	Effective	Expiration
15 CSR 30-130.040 Approval of Assurance Organizations	Next Issue	Dec. 10, 2018	June. 7, 2019
15 CSR 30-130.050 Use of Assurance Organizations by Applicant	Next Issue	Dec. 10, 2018	June. 7, 2019
15 CSR 30-130.060 Proof of Positive Working Capital, Bonds and Letters	Next Issue	Dec. 10, 2018	June. 7, 2019
15 CSR 30-130.070 Disciplinary Actions	Next Issue	Dec. 10, 2018	June. 7, 2019
15 CSR 30-130.080 Request for Hearing	Next Issue	Dec. 10, 2018	June. 7, 2019
15 CSR 30-130.090 Hearings	Next Issue	Dec. 10, 2018	June. 7, 2019
15 CSR 30-130.100 Appeals	Next Issue	Dec. 10, 2018	June. 7, 2019

Department of Health and Senior Services

Office of the Director

19 CSR 10-10.130 Missouri Adoptee Rights	43 MoReg 2967	Sept. 20, 2018	March 18, 2019
19 CSR 10-15.060 Prohibition on Expenditure of Funds	43 MoReg 2456	July 15, 2018	Feb. 28, 2019
19 CSR 30-1.002 Schedules of Controlled Substances	43 MoReg 3347	Nov. 04, 2018	May 2, 2019
19 CSR 30-1.023 Registration Changes	43 MoReg 2970	Sept 27, 2018	March 25, 2019
19 CSR 30-1.064 Partial Filling of Controlled Substance Prescriptions	43 MoReg 2971	Sept 27, 2018	March 25, 2019
19 CSR 30-1.078 Disposing of Unwanted Controlled Substances	43 MoReg 2972	Sept 27, 2018	March 25, 2019

Department of Insurance, Financial Institutions and Professional Registration

Office of Athletics

20 CSR 2040-2.011 Licenses	43 MoReg 2772	Sept. 7, 2018	March 5, 2019
20 CSR 2040-2.021 Permits	43 MoReg 2772	Sept. 7, 2018	March 5, 2019

Board of Cosmetology and Barber Examiners

20 CSR 2085-3.010 Fees	43 MoReg 3058	Oct. 1, 2018	March. 29, 2019
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Missouri Dental Board

20 CSR 2110-2.250 Prescribing Opioids	This Issue	Nov. 17, 2018	May 15, 2019
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State Board of Registration for the Healing Arts

20 CSR 2150-3.080 Physical Therapists Licensure Fees	43 MoReg 2459	July 13, 2018	Feb. 28, 2019
20 CSR 2150-3.170 Physical Therapist Assistant Licensure Fees	43 MoReg 2459	July 13, 2018	Feb. 28, 2019
20 CSR 2150-3.300 Physical Therapy Compact Rules	43 MoReg 2460	July 13, 2018	Feb. 28, 2019
20 CSR 2150-5.100 Collaborative Practice	43 MoReg 977	April 26, 2018	Term. Nov. 20, 2019
20 CSR 2150-5.100 Collaborative Practice	Next Issue	Nov. 20, 2018	Term. Nov. 20, 2019
20 CSR 2150-5.025 Administration of Vaccines Per Protocol	43 MoReg 2773	Sept. 30, 2018	March. 28, 2019

State Board of Nursing

20 CSR 2200-4.200 Collaborative Practice	43 MoReg 977	April 26, 2018	Term. Nov. 20, 2019
20 CSR 2200-4.200 Collaborative Practice	Next Issue	Nov. 20, 2018	Term. Nov. 20, 2019

State Board of Optometry

20 CSR 2210-2.070 Fees	43 MoReg 1257	May 21, 2018	Feb. 28, 2019
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State Board of Pharmacy

20 CSR 2220-2.200 Sterile Compounding	43 MoReg 2776	Aug. 30, 2018	Feb. 28, 2019
20 CSR 2220-4.010 General Fees	Next Issue	Dec. 8, 2018	June 5, 2019
20 CSR 2220-8.010 Definitions	Next Issue	Dec. 8, 2018	June 5, 2019
20 CSR 2220-8.020 Licensing Requirements	Next Issue	Dec. 8, 2018	June 5, 2019
20 CSR 2220-8.030 Nonresident Third-Party Logistics Providers/Drug Outsourcer Facilities	Next Issue	Dec. 8, 2018	June 5, 2019
20 CSR 2220-8.040 Standards of Operation (Drug Outsourcers)	Next Issue	Dec. 8, 2018	June 5, 2019
20 CSR 2220-8.045 Standards of Operation (Third-Party Logistics Providers)	Next Issue	Dec. 8, 2018	June 5, 2019

Division of Professional Registration

20 CSR 2231-3.010 Fee Waiver for Military Families and Low-Income Individuals	This Issue	Nov. 17, 2018	May 15, 2019
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Missouri State Committee of Interpreters

20 CSR 2232-1.040 Fees	This Issue	Nov. 17, 2018	May 15, 2019
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Real Estate Appraisers

20 CSR 2245-1.010 General Organization	43 MoReg 2639	Aug 17, 2018	Feb. 28, 2019
20 CSR 2245-3.005 Trainee Real Estate Appraiser Registration	43 MoReg 2640	Aug 17, 2018	Feb. 28, 2019
20 CSR 2245-3.010 Applications for Certification and Licensure	43 MoReg 2641	Aug 17, 2018	Feb. 28, 2019
20 CSR 2245-6.040 Case Study Courses	43 MoReg 2642	Aug 17, 2018	Feb. 28, 2019
20 CSR 2245-8.010 Requirements	43 MoReg 2643	Aug 17, 2018	Feb. 28, 2019
20 CSR 2245-8.030 Instructor Approval	43 MoReg 2643	Aug 17, 2018	Feb. 28, 2019

Missouri Consolidated Health Care Plan

22 CSR 10-1.030 Board of Trustees Election Process	43 MoReg 3354	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.010 Definitions	43 MoReg 3356	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.020 General Membership Provisions	43 MoReg 3357	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.030 Contributions	43 MoReg 3362	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.045 Plan Utilization Review Policy	43 MoReg 3365	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.046 PPO 750 Plan Benefit Provisions and Covered Charges	43 MoReg 3366	Jan 1, 2019	June. 29, 2019

Agency	Publication	Effective	Expiration
22 CSR 10-2.047 PPO 1250 Plan Benefit Provisions and Covered Charges . . . .	.43 MoReg 3368	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.051 PPO 300 Plan Benefit Provisions and Covered Charges . . . .	.43 MoReg 3370	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.052 PPO 600 Plan Benefit Provisions and Covered Charges . . . .	.43 MoReg 3370	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.053 Health Savings Account Plan Benefit Provisions and Covered Charges . . . . .	.43 MoReg 3370	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.055 Medical Plan Benefit Provisions and Covered Charges . . . .	.43 MoReg 3372	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.060 PPO 300 Plan, PPO 600 Plan, and Health Savings Account Plan Limitations . . . . .	.43 MoReg 3381	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.061 Plan Limitations . . . . .	.43 MoReg 3382	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.075 Review and Appeals Procedure . . . . .	.43 MoReg 3383	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.080 Miscellaneous Provisions . . . . .	.43 MoReg 3384	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.088 Medicare Advantage Plan . . . . .	.43 MoReg 3384	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.089 Pharmacy Employer Group Waiver Plan for Medicare Primary Members . . . . .	.43 MoReg 3385	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.090 Pharmacy Benefit Summary . . . . .	.43 MoReg 3386	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.110 General Foster Parent Membership Provisions . . . . .	.43 MoReg 3389	Jan 1, 2019	June. 29, 2019
22 CSR 10-2.140 Strive for Wellness [®] Health Center Provisions, Charges, and Services . . . . .	.43 MoReg 3390	Jan 1, 2019	June. 29, 2019
22 CSR 10-3.010 Definitions . . . . .	.43 MoReg 3391	Jan 1, 2019	June. 29, 2019
22 CSR 10-3.020 General Membership Provisions . . . . .	.43 MoReg 3392	Jan 1, 2019	June. 29, 2019
22 CSR 10-3.045 Plan Utilization Review Policy . . . . .	.43 MoReg 3395	Jan 1, 2019	June. 29, 2019
22 CSR 10-3.053 PPO 1000 Plan Benefit Provisions and Covered Charges . . . .	.43 MoReg 3396	Jan 1, 2019	June. 29, 2019
22 CSR 10-3.055 Health Savings Account Plan Benefit Provisions and Covered Charges . . . . .	.43 MoReg 3397	Jan 1, 2019	June 29, 2019
22 CSR 10-3.056 PPO 600 Plan Benefit Provisions and Covered Charges . . . .	.43 MoReg 3397	Jan 1, 2019	June 29, 2019
22 CSR 10-3.057 Medical Plan Benefit Provisions and Covered Charges . . . .	.43 MoReg 3398	Jan 1, 2019	June. 29, 2019
22 CSR 10-3.058 PPO 750 Plan Benefit Provisions and Covered Charges . . . .	.43 MoReg 3407	Jan 1, 2019	June. 29, 2019
22 CSR 10-3.059 PPO 1250 Plan Benefit Provisions and Covered Charges . . . .	.43 MoReg 3409	Jan 1, 2019	June. 29, 2019
22 CSR 10-3.060 PPO 600 Plan, PPO 1000 Plan, and Health Savings Account Plan Limitations . . . . .	.43 MoReg 3410	Jan 1, 2019	June. 29, 2019
22 CSR 10-3.061 Plan Limitations . . . . .	.43 MoReg 3411	Jan 1, 2019	June. 29, 2019
22 CSR 10-3.080 Miscellaneous Provisions . . . . .	.43 MoReg 3412	Jan 1, 2019	June. 29, 2019
22 CSR 10-3.090 Pharmacy Benefit Summary . . . . .	.43 MoReg 3413	Jan 1, 2019	June. 29, 2019

Executive Orders

Executive Orders	Subject Matter	Filed Date	Publication
2018			
18-11	Closes state offices December 24, 2018.	Nov. 30, 2018	This Issue
18-10	Establishes that each executive branch adhere to the code of conduct regarding gifts from lobbyist	Nov. 20, 2018	Next Issue
18-09	Closes state offices November 23, 2018.	Nov. 1, 2018	43 MoReg 3204
18-08	Establishes the Missouri Justice Reinvestment Executive Oversight Council.	Oct. 25, 2018	43 MoReg 3472
Proclamation	Governor temporarily reduces line items in the budget.	Oct. 31, 2018	43 MoReg 3416
18-07	Establishes the Bicentennial Commission.	Oct. 12, 2018	43 MoReg 3202
Proclamation	Calls upon the Senators and Representatives to enact legislation requiring the Department of Elementary and Secondary Education to establish a statewide program to be known as the "STEM Career Awareness Program."	Sept. 4, 2018	43 MoReg 2780
18-06	Designates those members of the governor's staff who have supervisory authority over each department, division, or agency of state government.	Aug. 21, 2018	43 MoReg 2778
18-05	Declares a drought alert for 47 Missouri counties and orders the director of the Department of Natural Resources to activate and designate a chairperson for the Drought Assessment Committee	July 18, 2018	43 MoReg 2539
18-04	Extends the deadline from Section 3d of Executive Order 17-03 through September 30, 2018.	June 29, 2018	43 MoReg 1996
18-03	Reauthorizes and restructures the Homeland Security Advisory Council.	April 25, 2018	43 MoReg 1123
18-02	Declares a State of Emergency and activates the state militia in response to severe weather that began on Feb. 23.	Feb. 24, 2018	43 MoReg 664
Proclamation	Governor notifies the General Assembly that he is reducing appropriation lines in the fiscal year 2018 budget.	Feb. 14, 2018	43 MoReg 519
18-01	Rescinds Executive Order 07-21.	Jan. 4, 2018	43 MoReg 251
2017			
17-24	Designates members of the governor's staff to have supervisory authority over departments, divisions, and agencies of state government.	Nov. 17, 2017	43 MoReg 5
17-23	Advises that state offices will be closed on Friday, November 24, 2017.	Nov. 1, 2017	42 MoReg 1640
17-22	Implements the Emergency Mutual Assistance Compact and activates the state militia to aid the U.S. Virgin Islands in response to Hurricane Maria.	Sept. 20, 2017	42 MoReg 1579
17-21	Governor activates the state militia in anticipation of unrest in the St. Louis region.	Sept. 14, 2017	42 MoReg 1411
17-20	Governor establishes a board of inquiry to review evidence and provide a recommendation on the death sentence for inmate Marcellus Williams.	Aug. 22, 2017	42 MoReg 1361
Proclamation	Governor notifies the General Assembly that he is reducing appropriation lines in the fiscal year 2018 budget and permanently reducing appropriation lines in the fiscal year 2017 budget.	Aug. 1, 2017	42 MoReg 1307
17-19	Directs the Department of Health and Senior Services, the Department of Mental Health, the Department of Public Safety, the Department of Natural Resources, and the Department of Conservation to identify, train, equip, and assess law enforcement and emergency responder efforts to combat Missouri's Opioid Public Health Crisis.	July 18, 2017	42 MoReg 1229
17-18	Directs the Department of Health and Senior Services to create a prescription drug monitoring program.	July 17, 2017	42 MoReg 1143
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Proclamation	Governor convenes the Second Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding abortions facilities.	July 6, 2017	42 MoReg 1139
17-17	Creates the Missouri Justice Reinvest Taskforce to analyze Missouri's corrections system and recommend improvements.	June 28, 2017	42 MoReg 1067
Proclamation	Governor convenes the Second Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding abortions facilities.	June 7, 2017	42 MoReg 1024
Proclamation	Governor convenes the First Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding attracting new jobs to Missouri.	May 18, 2017	42 MoReg 1022
17-16	Temporarily grants the Director of the Missouri Department of Revenue discretionary authority to adjust certain rules and regulations.	May 11, 2017	42 MoReg 909

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17-15	Temporarily grants the Director of the Missouri Department of Health and Senior Services discretionary authority to adjust certain rules and regulations.	May 8, 2017	42 MoReg 907
17-14	Temporarily grants the Director of the Missouri Department of Natural Resources discretionary authority to adjust certain environmental rules and regulations.	May 4, 2017	42 MoReg 905
17-13	Activates the state militia in response to severe weather that began on April 28, 2017.	April 30, 2017	42 MoReg 865
17-12	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to severe weather beginning on April 28, 2017.	April 28, 2017	42 MoReg 863
17-11	Establishes the Boards and Commissions Task Force to recommend comprehensive executive and legislative reform proposals to the governor by October 31, 2017.	April 11, 2017	42 MoReg 779
17-10	Designates members of the governor's staff to have supervisory authority over departments, divisions, and agencies of state government.	April 7, 2017	42 MoReg 777
17-09	Establishes parental leave for state employees of the executive branch of Missouri state government and encourages other state officials to adopt comparable policies.	March 13, 2017	42 MoReg 429
17-08	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to severe weather that began on March 6.	March 7, 2017	42 MoReg 427
17-07	Establishes the Governor's Committee for Simple, Fair, and Low Taxes to recommend proposed reforms to the governor by June 30, 2017.	January 25, 2017	42 MoReg 315
17-06	Orders that the Missouri State Emergency Operations Plan be activated. Further orders state agencies to provide assistance to the maximum extent practicable and directs the Adjutant General to call into service such portions of the organized militia as he deems necessary.	January 12, 2017	42 MoReg 267
17-05	Activates the Missouri State Emergency Operation Center due to severe weather expected to begin on Jan. 12, 2017.	January 11, 2017	42 MoReg 266
17-04	Establishes the position of Chief Operating Officer to report directly to the governor and serve as a member of the governor's executive team.	January 11, 2017	42 MoReg 264
17-03	Orders every state agency to immediately suspend all rulemaking until Feb. 28, 2017, and to complete a review of every regulation under its jurisdiction within the <i>Code of State Regulations</i> by May 31, 2018.	January 10, 2017	42 MoReg 261
17-02	Orders state employees of the executive branch of Missouri state government to follow a specified code of conduct regarding ethics during the Greitens administration.	January 9, 2017	42 MoReg 258
17-01	Rescinds Executive Orders 07-10, 88-26, 98-15, and 05-40 regarding the Governor's Advisory Council on Physical Fitness and Health and the Missouri State Park Advisory Board.	January 6, 2017	42 MoReg 257

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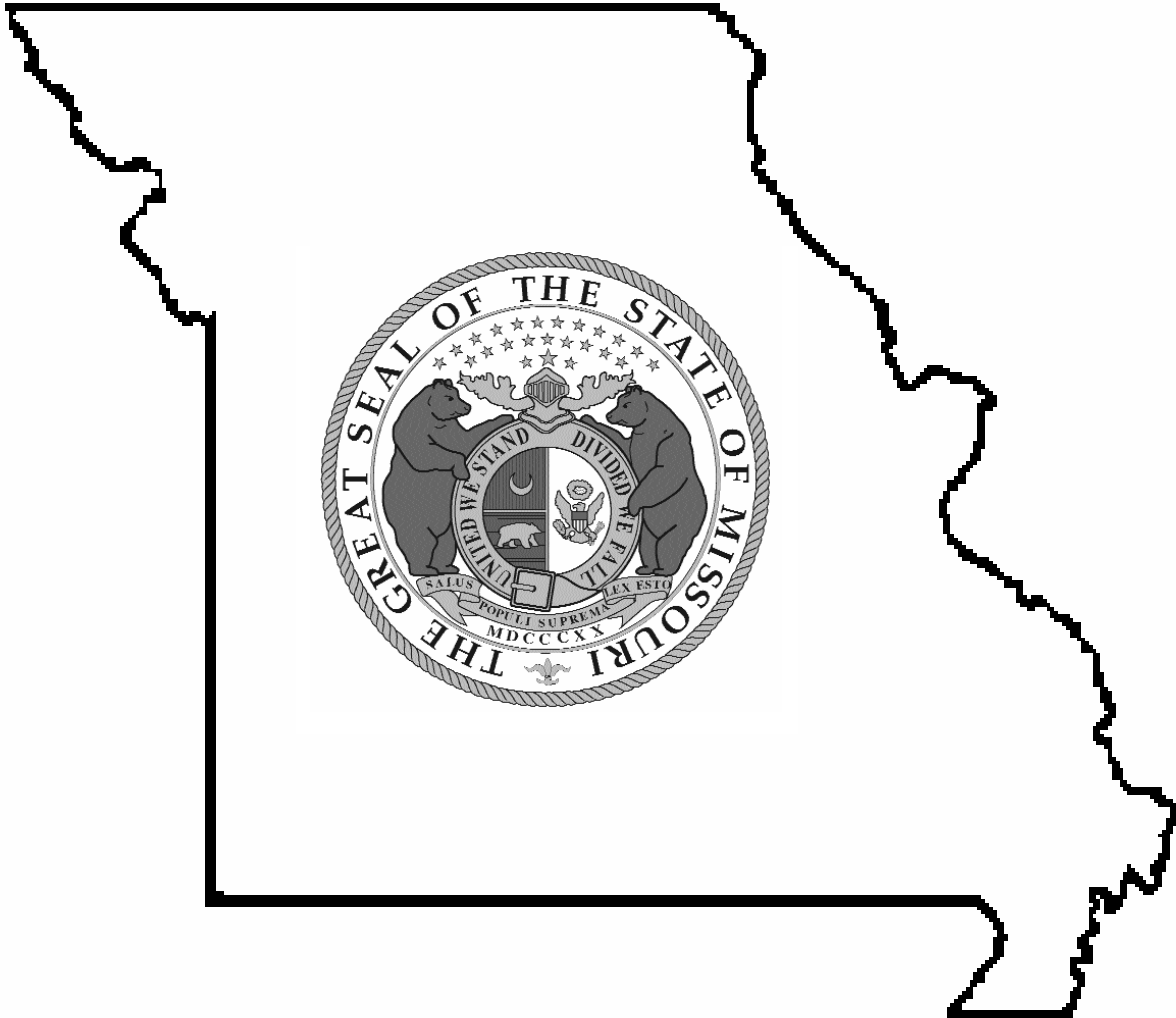
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